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West Europe Report

(FOUO 6/80)

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COUNTRY SECTION FEDERAL REPUBLIC OF GERMANY

BRANDT'S ALTERED POSITION IN SPD NOTED

Hamburg STERN in German 20 Dec 79 p 175

[Article by Uwe Zimmer: "A Monument With Cracks in the Base"]

[Text] The Social Democrats have problems with Willy Brandt's new image.

Almost a year ago he was in the hospital with a bad heart attack, and his party was thinking about a successor. Last week the SPD convention in Berlin confirmed him with a large majority as party chairman for 2 more years. The West German comrades have no replacement for Willy Brandt.

But--and there is no doubt about this--Willy Bradt is no longer the man he was. If his speeches were previously fiery and full of direction, he now speaks reserved, almost resigned. "That many things will not again be, will never again be as they were," is one such piece of an old man's advice from Willy Brandt, as well as: "At this convention, of course, no eternal decisions will be reached."

That not a few of the delegates view the image of their chief as "lame" or "weak" shows how little they understand Brandt's new role--more president than boss. Not he, but Helmut Schmidt, the federal chancellor, should be the main figure. Not the party chairman but the fraction chief, Herbert Wehner, should be the driver. Brandt sees himself as "moderator."

The SPD has its problems with the new Willy Brandt. It is true that colleagues praise his new suits which fit well instead of his previous unstylish attire, but they have difficulty overcoming the headlines that his separation from Rut, his life's companion of many years, has caused. "A monument with a few cracks in the base," friends observe about the man who will be 66 years old next week.

As evidence of how little the international reputation of the former chancellor has suffered, the SPD voter drive in Bonn is displaying gifts of love for "Uncle Willy": hand-woven portraits of Brandt from Russia, oil paintings, tempera and water colors.

"Anyone who does not have respect for others and possibly also himself, the honored Brandt states, "cannot be a good Socialist."

COUNTRY SECTION FEDERAL REPUBLIC OF GERMANY

BUNDESWEHR GROUP PROTESTS AGAINST PAY, ARMAMENTS

Hamburg STERN in German 20 Dec 79 p 174

[Article by Mario R. Dederichs: "Displeasure and Frustration in the Barracks"]

[Text] In a confidential study conscripts and extended-term enlisted protest against dress inspection, meager pay and armament.

The Bundeswehr is speaking out against chicanery, poor pay and patronizing attitudes and for codetermination rights, social security and disarmament. For the first time since 1974 a catalog of demands and complaints from the "Basis" will be presented this weekend to the minister of defense: "Soldier 80." The study was prepared by 25 conscripts and duty soldiers from barracks everywhere on federal territory. Hundreds of soldiers, for whom the designation "Citizen in Uniform" is more than just rhetoric, have taken a critical position in numerous discussions. Their motto to counteract displeasure and frustration among the troops: "Become active." "Successes from past actions have encouraged us," tank corps soldier Rainer Tobae from Koblenz, coauthor of the study, explains. In 1976 after protests by these groups of soldiers there was a reform of canteens, in 1978 a service pay increase of 1 mark per day, and this year free trips home on the federal railroad were granted.

Now "Soldier 80" is defending itself against the "degrading treatment" of dress inspections, of standing at attention during conversations with superiors, as well as antiquated regulations on clothes: "As grown men we want to be able to determine hair length for ourselves... and also when we go to bed at night."

Most of the complaints relate to the poor pay which conscripts receive: about DM 200 a month for 50 to 60 hours per week duty: "A ridiculous allowance." There are continually more monies made available for armaments, but "in our pockets it is ebbing"--because of increasing prices in the canteens and bars, buying and filling-up the tank.

"Soldier 80" demands an immediate increase of DM 100--for 220,000 conscripts per year this would amount to the purchase price of four MRCA-Tornado bombers --and long-term parity with the wages for industrial workers. Other demands: a 40-hour week, doubling of separation pay to DM 2,000, 6 weeks of annual vacation, regular free weekends and free rides on public buses and trains.

Representatives, according to the study, should be genuine spokesmen for their comrades, not just an "extended arm" of the company commander. A law must provide them with real participatory rights in the formulation of duty rosters, leisure time activities and canteen prices and prevent the "silencing" of undesirable petitioners. A network of representatives should be devised, from the barracks all the way to an elected, full-time federal-level committee of representatives which communicates directly with the minister of defense.

In the political section of the study the "notion of disarmament" was spread about and the "enemy image" of the Eastern threat was rejected. Thirty-four years of peace in Europe prove "that the Russians do not want a war." Instead of putting tax money into weapons production the authors of the study demand considerable financial infusion into the improvement of education programs for the soldiers, so that they might return to civilian life without difficulty.

Since even simple complaints in the Bundeswehr often produce chicanery, the protesting soldiers expect repressive reactions. "Military intelligence has already made inquiries about me from my superior" private Tobae observes. But they accept that as the price for taking action. They want to be models of resistance against increasing spinelessness. The motto of the soldiers is: "If the tube is not pressed, then nothing comes out."

9485
CSO: 3103

COUNTRY SECTION FRANCE

GISCARD'S AFRICAN POLICY DEBATED IN PARLIAMENT

Paris JEUNE AFRIQUE in French 19 Dec 79 pp 32-33

[Article by Sophie Bessis: "A Stainless Policy"]

[Text] Tuesday, 18 Dec: Mr Jean Francois-Poncet, French minister of foreign affairs, casts a final glance over files prepared by the Elysee Palace. They are not very thick, but they will certainly be enough for him to respond to prepared questions with which the deputies will harass him shortly. The session of 18 December at the Palais Bourbon will, in effect, be devoted to the African policy of France.

The initiative is without precedent: this not negligible aspect of its (foreign?) policy is ordinarily discussed within the framework of the general debate on foreign policy or that of economic cooperation. But what has become the Bokassa Affair, without considering other matters, broadly justifies it. Following the presentation of numerous written questions from the opposition and from the RPR [Rally for the Republic], the government has undertaken to explain itself to the deputies. The sprightly minister therefore will have to respond to the following: the diamonds which no one has seen, and the paratroopers whom everyone sees at N'Djamena; at Bangui, the at least questionable installation of a "friend of France" at the head of central Africa, the very controversial return of the parachutists to Nouadhibou, and several other "scandals"--like that of Namibian uranium, which the socialists have the firm intention to raise--without any doubt are going to provoke serious argument and some beautiful flights of rhetoric. Some of them, probably, will also recall the African fortune of the presidential family, which is quietly prospering from the Ubangui to the Sanaga [rivers].

It was believed that the affair of the well-known jewelry offered by Bokassa had quieted down. Not only had the scandal calmed down after the first revelations of the CANARD ENCHAINE, but the popularity level of Mr Giscard d'Estaing had not been so good for a long time. Now it was that, in its issue of 5 December the satirical weekly repeats its offense and, with the support of photocopied documents, reports new

imperial presents for the president of the French Republic. The political parties, exasperated by the preference of the presidential palace for secrets, perhaps will demand this time something other than a "categorical and scornful denial." With regard to French military interventions they will raise the usual objections on the part of the socialists and the communists, but certainly also from the RPR which, moreover, by De Gaulle and Pompidou together, is the father of this type of muscular cooperation.

Even if the parliamentary debate does not involve the future of the government, the atmosphere is nonetheless heavy, and the general uneasiness, which has reigned since "Operation Barracuda" last September in Bangui, is far from dissipated. But, setting aside the scent of scandal, will the deputies, on 18 December, have something new with which to attack the African policy of Giscard? Because it is certainly about the president of the republic, and about him alone, that matters will turn on that day.

This policy has a rare coherence and a continuity which the French chief of state never fails to underline. He recalled again, at the time of his last televised conversation of 27 November, that, "these great directions of French policy figure among those which will be to the credit of the present period." As for Francois Mitterrand, he stated on 5 December, like an echo, "I feel there is something missing, not in the sense that our leaders do not say a few words here and there regarding the world's problems, but that, in the sense that we understand it, there appears no guideline for fundamental choices..."

Let us look at the facts: Since 1974 Mr Giscard d'Estaing has made 13 official trips on the African Continent, from Algeria to Cameroon, and from Morocco to Guinea. With regard to his ministers and secretaries of state, they have crossed the Mediterranean on innumerable occasions for the past 5 years. At the same time, Paris greeted its perennial friends, like Leopold Sedar Senghor and new arrivals on the Franco-African scene like the Kenyan, Arap Moi. Similarly, from Nouakchott to Kolwezi, including Chad and, of course, central Africa, the French parachutists and airplanes have never been as visible in Africa, without raising any real protest. There also the French president did not fail to underline that "The African policy of France has not been criticized, and still less condemned, either at the United Nations or at the OAU," he said again on 27 November.

There is an achievement of some size for the purpose which he seems to have fixed for his term of office: to consolidate French influence in the former empire, and to include new areas and to develop this presence, having regard for the new facts of the African political and economic context. For the moment he has not succeeded so badly, despite failures of some size, such as the impossible rapprochement with Algeria. In French-speaking Africa, the return of Guinea to the French bosom, under

the aegis of Presidents Houphouet-Boigny and Senghor, is not only strategically profitable but psychologically satisfying for an anti-Gaullist who wishes to be a Gaullist. The extension to Zaire of the French-speaking zone in the political and military sense is well on the way. The small, non-French-speaking states of west Africa are drawing closer and closer to France, even if the large countries, like Nigeria--where French interests are nevertheless considerable--or Angola, show themselves to be more reticent.

Economically, the France of Giscard does not forget that it imports from Africa half of its coffee, 85 percent of its peanut oil, 45 percent of its manganese, 30 percent of its copper and...99 percent of its uranium ore. Strategically, the "moderate" Africans are calling for--and the Western powers encourage it discreetly--this expansion, in the context of East-West rivalry, in which Africa today is one of the principal stakes. Did not Mr Kissinger state it, at the time of the first Shaba War, that France would replace the United States in the framework of a new division of labor for the defense of Western interests?

Not everyone, of course, is in agreement, beginning with public opinion. Not only the Africans do not approve the policy of France in Africa, as the latest poll carried out by J.A. [JEUNE AFRIQUE] (No 986) has confirmed, but the French are hardly more enthusiastic. Two polls, the first one carried out by J.A. (No 981), the second by IFOP [French Public Opinion Institute] for the account of the association Freres des Hommes [Brothers of Men], could not be more explicit on this subject.

VGE [Valery Giscard d'Estaing] pays no attention: "It is the governments in office which are demanding from us the maintenance of our troops," he emphasizes. That is enough for him. The Communist Party and the Socialist Party deplore, on the other hand, the scorn for the peoples which characterizes the attitude of Giscard. His conception of the "defense of the West" is far from being criticized only by the Left. The Sahara policy of France provokes thunderbolts from everyone. The Communist Party does not miss an occasion to reaffirm its support for the POLISARIO movement. The Socialist Party does the same. Similarly, the RPR looks on with a jaundiced eye at the frittering away of French interests in Algeria.

Therefore, will the Africa of Giscard be seriously attacked on 18 December? Despite the general grumbling the debate does not promise to be very dangerous for the president of the republic and his government. The fact of the matter is that, from the left to the right, the opposition has hardly any alternative policy in this domain. With the exception of the Sahara conflict, the Communist Party and the Socialist Party, which are hardly up to date on matters which Giscard, on the other hand, knows perfectly well, are not characterized by the coherence of their proposals. Of course, the main principles are fully stated: the rights of the peoples, noninterference in the internal affairs of

nations, less unjust economic relations, less niggardly foreign aid to the poor countries. But one hardly sees how they could concretely put into effect this catalog of good intentions, while paying no attention to French interests which are very real.

The communists, for example, avoid saying what they would do with the unemployed Dassault or Panhard workers in case they would radically change policy... The Socialist Party has not yet prepared any real solutions which would permit their generous proposals to be taken seriously. Finally, the RPR criticizes the methods of Giscard but it has hardly done better during 15 years in power; only the style was different... Regarding the relationships of the left with African politicians, they cannot measure up to those which Giscard is trying to consolidate with his compulsory partners. The limited friendships of the Communist Party in the "progressive" countries are not sufficient to put a policy into effect. The Socialist Party, for its part, has not yet succeeded in placing itself at the side of the countries tempted by social democracy.

So is it a matter of continuity, a policy that never wears out? Giscard d'Estaing evaluates the interests of France and loves Africa in his own way. Does he, perhaps, take as real manifestations of friendship the enthusiastic crowds which press around him on each of his trips between the airport and the Presidential Palace? Does he, perhaps, confuse the warmth of the African meetings with adherence to his policy? Not knowing anything of the peoples except that they wear colored loincloths and have ritual scars, he has not yet understood that he has been deceiving himself.

5170
CSO: 3100

FRANCE

PCF SEEN DRAWING CLOSER TO MOSCOW AGAIN

Paris VALEURS ACTUELLES in French 24 Dec 79 pp 16-17

[Article by Andre Lesueur: "Drawing Closer To Eastern Europe--Iran-Cambodia, European Nuclear Weapons: The Communists Are Going Through a Phase of Returning to Moscow"]

[Text] All of the Communist Party's foreign policy stands are dictated by Moscow: In the Socialist Party's executive bureau on Wednesday evening even the most "unitary" acknowledged this. The most recent example and one of the most spectacular: The noisy campaign organized by the Communist Party in opposition to the installation in Eurpoe of the new NATO nuclear missiles.

"One Hiroshima is enough!" was L'HUMANITE headline on Wednesday. That same day, Georges Marchais announced the filing of a motion of censure with the National Assembly to protest against strengthening NATO's military potential in Europe. And on Thursday evening the Communist Party and the CGT [General Confederation of Workers] along with 12 other satellite groups organized a demonstration from the Bastille to Nation [Square], followed up in the provinces by parades, notably in Toulouse.

This campaign is being orchestrated in several European countries. In Italy, Enrico Berlinguer's very "liberal" communist party has also aligned itself with the Soviet stand on this issue. In Germany, the "Jusos" (the youth of the Social Democratic Party), infiltrated by the communists, have disputed their own party's agreement to NATO's military strengthening.

In France this issue increases the Communist Party's isolation.

Invited to join in the communist demonstrations, the National Education Federation and the CFDT [French Democratic Federation of Labor] declined the offer. Edmond Maire took advantage of it to denounce the Communist Party's "alignment" with Soviet foreign policy.

The socialists, also solicited, let their refusal be known. A foreseeable decision according to the comments made both by Francois Mitterrand and Lionel Jospin and by Gaston Defferre.

"If the installation of the Pershing rockets in Europe is of such a nature as to re-establish an East-West balance, we are in favor of it," Mitterrand remarked on 5 December.

In a courteously ironic letter to Georges Marchais, the socialist leader asked the Communist Party's secretary general why union of the Left seemed so urgent to him on issues involving USSR interests while the joint actions proposed by the Socialist Party on problems of internal policy were being rejected by the Communist Party in a systematic way.

In fact, at the most recent meeting of the socialist directing committee, Lionel Jospin, the number 2 man of the Socialist Party, succeeded in drawing up an extremely negative balance sheet of the relations between communists and socialists: Of 1,500 proposed joint actions put forward by the Socialist Party, only six have been accepted.

"The Communist Party is going through a withdrawal phase, but it is a withdrawal in the direction of Eastern Europe," a socialist leader said.

The "Eurocommunist" illusion has now lasted for a long time. And the pledges of independence Marchais seemed to make up to 1978 no longer deceive anyone. Neither within the Communist Party, nor among its allies. Thus, Jean Ellenstein, back in line for 3 months, is once again a dissident and is denouncing his party's stands on Cambodia and Iran. And in the Paris embassy of an Eastern European country where they had worried about the "liberal fashion" that showed up in the Communist Party in 1976, they say today:

"We are finding the French Communists once again to be the way we used to know them: Solidary.

On the Pershing rocket issue, the argumentation worked up by the communist daily is precisely that of PRAVDA: "Such a decision disrupts the balance of NATO's strategic forces and of the Warsaw Pact laid down 6 months ago in the Salt 2 agreements," wrote Rene Andrieu in L'HUMANITE of 18 December.

The expression "strategic forces" has significance: It makes it possible to gloss over in silence the extraordinary conventional military potential the USSR has available at the borders of the Western world.

And it was from Warsaw that on 15 December Marchais denounced the "new step in the arms race taken by NATO," and hailed "the constructive proposals" of the communist countries. On Cambodia, solidarity too. Inside of a few months four communist leaders visited the Cambodia occupied by the Vietnamese forces: Andre Lajoinie, a member of the secretariat general, Jean Emile Vidal, a L'HUMANITE journalist, Roland Leroy, editor of the communist daily, and Dr Jean Yves Follezou, a member of the "Committee for medical and health assistance to the Cambodian Population." L'HUMANITE of 19 December published their testimony.

That of Lajoinie: "The Vietnamese have killed no one, have not engaged in any repression... The Vietnamese are not rejecting aid. There are, of course, transportation difficulties..."

That of Leroy: "We have seen the beginning of the renaissance, the coming back to life of a whole people thanks to the defeat of Pol Pot and to the current presence of the Vietnamese." (Testimony to be compared with that published in our 10 December issue.)

The return of the French Communists to the Soviet bosom was hailed in Moscow by several gestures of encouragement. On Tuesday, PRAVDA offered its columns to Gaston Plissonnier, a member of the Communist Party's political bureau, for him to denounce in them "the utilization by the forces of the Right of the Socialist Party's anticommunism." At the same time, in the Soviet Communist Party's political bureau a debate was begun as to the suitability of confirming the invitation issued to Mitterrand to visit the USSR. Planned for a long time, this visit might be cancelled.

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CSO: 3100

COUNTRY SECTION FRANCE

AERIAL RECONNAISSANCE EQUIPMENT DISCUSSED

Paris ARMEES D'AUJOURD'HUI in French Dec 79 pp 28-29

[Article by Lt Col Michel Danthon: "From the Eye to the Radar; Aerial Reconnaissance Equipment"]

> [Text] "To be efficient, the quest for aerial information should assume a lasting character." To secure this permanence--a sine qua non condition of the best use of our forces--the Air Force has in particular at its disposal the 33d tactical reconnaissance squadron, nowadays equipped with the III R Mirage. This plane carries devices intended to grasp information on ground or at sea; such devices are called "capteurs" or sometimes "senseurs" by analogy with the English term "sensor."

The permanence of the information requires the best possible coverage in the gamut of the electromagnetic radiation frequencies. A glance at the spectrum shows exactly where the various sensors stand compared one to the other:

--The optical sensors: the most ancient, and naturally located in the visible tange of the radiation, i.e., approximately between 300 angstroms (violet) and 0.3 micron (red);

--the infrared sensors between 0.3 and 13 microns;

--the radar sensors with a wavelength from 0.30 cm to 3 cm;

--beyond this lies the domain of electronic reconnaissance.

Eyesight and Memory: Irreplaceable Elements

The first among all the sensors is the pilot's eyesight. It is the most ancient one but after all, without dispute, the most perfect. The eyesight of the pilot has none of the focussing problems related to the shooting distance, the diaphragm, the shutter speed or the exposure. Besides it also has two basic advantages: topographic relief and color.

Because of memory backing, the eyesight can record and classify the information, and most important of all, analyze it before replacing it in its environment. It is necessary to show how this last mentioned function plays a determining role and to explain that the prehension of one detail may modify the bearings of a maneuver. Let it suffice to say that the spotting of a tank, an artillery piece, or a radar are details discerned by the eye which, once reconstructed by the memory, always mean at least the presence of an armored platoon, a battery, or a missile site. In this sense, eyesight and memory are incomparable and irreplaceable. Yet, confronted with the difficulty presented by a considerable amount of information--the difficulty in the field of reconnaissance being indeed not the tiny objective but rather the large formation--the pilot's memory, additionally disturbed by the hostile environment and the operating of the plane, may become saturated and stop registering details. For this reason it seems indispensable to add an artificial memory composed in part of photographic instruments, also called cameras. The one presently in service is a French camera, the Omega 40. One of its advantages is that its "conception" replaces four traditional cameras operating at the same time, because, owing to a specially designed device, it observes from horizon to horizon--the "fish-eye" in some way, but without distortion of image. Placed in a air-conditioned compartment, this camera can shoot 300 pictures at a rate of 10 images per second. It can be used from an altitude of 40 to 15,000 meters at speeds ranging from 600 km per hour to twice the speed of sound as its shutter speed varies from 1/100 to 1/10,000 second. The diaphragm is of course automatically controlled by a photoelectric cell. Like the eye, however, the camera is handicapped by poor visibility and at night.

The Infrared: a Mean of Detection

So research moved naturally toward another part of the electromagnetic spectrum, and firstly, toward infrared detection. The infrared range spreads between 0.7 and 1,000 u and follows the narrow strip of the visible spectrum. The most interesting part of the range starts around four u. From this wavelength, the radiation proper to each substance falls into what characterizes infrared detection:

--it is passive,

--it allows to diferenciate between several substances based on the intensity of their radiation,

--it allows to see not only activity but also its variation, like traces of a prior activity.

These characteristics: passivity, day and night functioning, heat sources detection, substances indentification and detection, make infrared detection a means of reconnaissance which supplements photography by operating in a different field and by bringing new possibilities. In a infrared sensor, the energy received is transformed into electric energy and then

recorded on a magnetic tape. Once retranscribed and combined to a photograph, the information is interpreted by a ground technician: it is then called a thermography. The transcription may also occur without the intermediary magnetic recording step. This opens the doors to the use of techniques for data transmission and their automatic processing. In practice such sensor has, however, two kinds of limitations:

--limitations due to the medium of transmission, since vapor absorbs in part radiation,

--technical limitations due to the sensor.

If vapor absorbs infrared, water is totally impervious to it. Therefore, detection is impossible through the water of clouds and of little advantage in humid atmospheres. The weatherproof efficiency of the infrared detection is thus limited. It will take a long time before an infrared sensor can compete with photography concerning the ability to define images and to identify objects easily. For this reason it is used not in substitution of photography but in correlation with it; the infrared detects, and the picture identifies.

A Weatherproof Efficiency

As we have just seen it, like the photograph, the infrared has limitations due to:

--meteorological conditions (atmospherical absorption),

--detection in itself.

Therefore, continuing their effort, researchers have studied radar detection which seems to alleviate the disadvantages found in optical and infrared sensors. The Side-looking Airborne Radar is a pulsating radar with lateral antennae. The radiation diagram of the antennae is perpendicular to the longitudinal axis of the fuselage. It has a narrow horizontal plane. The two strips of land explored on either side of the aircraft may extend up to 18 km. The radar image is inscribed, line by line, on a photographic film. The film runs continually at a speed proportionate to the speed of the aircraft. On the film one finds:

--the radar map of what is on each side of the aircraft course (Mapping or cartography),

--the visualization of the reflected waves in the same two zones.

In addition to its investigatory efficiency, an advantage of the Side-looking Airborne Radar lies in its resolution ability, since it "sees" every object of the size of a vehicule. This advantage adds to the new possibilities opened to aerial reconnaissance:

--a weatherproof efficiency (therefore uninterrupted search),

--a constant scale on the whole width of the image,

--a decrease in vulnerability, to the extent of the aircraft ability to get through the objectives breadthwise,

--a very good efficiency in gathering information.

In addition, the in-flight direct transcription on film makes the informations available upon landing, the delays being comparable to those encountered for processing ordinary photographic negatives, i.e., a few minutes.

We have rapidly reviewed the means actually in use. To conclude more easily, it is fitting to evaluate their possibilities in relations to a list of essential qualifications that an ideal reconnaissance system would possess to the optimum. These qualifications are the following:

--discretion of mode of operation,

--weatherproof efficiency,

--day and night efficiency,

--range of coverage,

--resolution ability--ability to localize easily what has been identified,

--presentation of information in a way which leads to easy interpretation and rapid diffusion.

How do the various systems fare compared to this ideal grid?

APTITUDE	TYPE OF SYSTEMS			
	VISUAL	OPTICAL	INFRARED	RADAR
Functioning	passive	passive	passive	passive
Weatherproof Efficiency	poor	poor	poor	excellent
Efficienty by Day	good	good	good	very good
and Night	limited	limited	very good	very good
Coverage	fair	good	good	very good
Resolution Ability	good	excellent	poor	very good
Simplicity of Interpretation and Diffusion	very good	good	requires specialists	requires specialists

On what thoughts shall we conclude:

--the sensors can in no way be utilized in isolation, but only in combination, the weakness of one being compensated by the strength of an other;

--the array of the existing sensors offers a possibility of a permanent information, i.e., that at this level reconnaissance is at all time.

For this reason, many studies have taken place in all countries to continuously improve aerial photographic equipments, infrared sensors and radars, and to operate new investigatory devices in the still unexplored domain of the electromagnetic spectrum.

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CSO: 3100

COUNTRY SECTION FRANCE

NEW FAMAS ASSAULT RIFLE DISCUSSED

Paris ARMEES D'AUJOURD'HUI in French Dec 79 pp 32-33

[Text] On 5 December 1979, the first MAS 5.56 F1 assault rifles were officially delivered to the National School of Active Duty Noncommissioned Officers by General Jean Lagarde, the army chief of staff.

This rifle, manufactured by the Manufacture Nationale d'Armes of Saint-Etienne, an establishment of the General Delegation for Weaponry, will gradually be used to equip the French armed forces. From now until the end of 1979, 2,500 rifles will be delivered to the army, 500 to the navy and 500 to the air force.

Starting in 1980, 44,000 rifles a year will be delivered in order to reach, finally, a total figure of 400,000.

The army general staff (EMAT) felt the need to renew its light weaponry with the following objectives assigned the Technical Directorate of Land Weapons (DTAT):

--to put into service an automatic weapon capable of replacing both the rifle and automatic pistol and, within certain limits, the Bren gun;

--to seek maximum weight reduction by the choice of an ammunition effective within the realistic range of rifle firing, on the order of 300 meters;

--to choose an existing ammunition, primarily in order to accelerate development;

--to accommodate the need to be able to shoot 500 gram rifle grenades (antitank and anti open personnel).

In the case of an individual weapon, the increased proficiency, compared with the MAS 49.56 of an automatic weapon of a calibre as high as the 7.62 is slight, for a clearly increased consumption of cartridges. It was therefore normal to turn to a lesser calibre.

After technical tests of various types of ammunition (speed, accuracy, terminal ballistics on a simulated target, perforation), the EMAT decided upon a 5.56 mm cartridge, similar to that used by the United States. It weighs only half as much as the 7.62N cartridge with no noteworthy excessive loss of efficiency up to 300 meters. It seemed superior to the 7.62 x 39 cartridge (a clearly shortened ammunition compared to the 7.62N) adopted 30 years ago by the Warsaw Pact countries.

After the creation of a feasibility mock-up and 10 A1 prototypes, definition prototypes soon abounded. After very promising tests, 23 A4 prototypes were given to the Army Engineering Branch (STAT) for a comparative evaluation with foreign weapons.

As a result of these tests, the defense minister decided to grant priority to the rifle conceived and manufactured in France. He granted the MAS 4 years to complete research and set in place the first weapons in the troop corps. It was this wager which has just been met.

Early in 1977, the A7 version was presented to STAT for official approval: the evaluation was entirely favorable, from every point of view, with the exception of the blast regulator. In August 1977, the EMAT officially adopted the FAMAS without regulator. This latter subunit, which can be added to the rifle at any point during its lifetime, will be perfected and adopted somewhat later.

Created as a consequence of the exigencies of modern combat, the FAMAS is made of high performance materials: very special steel, light alloys, glass and resin composites, for greater resistance and important weight savings. The plastic fitting of the weapon solves several problems:

--the morphological adaptation of the weapon, gripping for transport and aiming;

--protection of the marksman against overheating;

--protection of aiming mechanism and components.

Its reduced length makes it possible to melt into the silhouette of the soldier and facilitates handling, the stability of blast firing, all the more so in that the center of gravity is directly above the pistol-grip. However, the FAMAS has a longer barrel than the majority of its homologues, being in any case very close to the length of the MAS 49-56.

The principle of the mechanism is that of the amplification of inertia which procures more flexibility and regularity in functioning than the system of gas injection at one point of the barrel. In this respect, it is worth mentioning that ergonomic study of the weapon was carried

out in great depth, particularly relating to stability during blast firing.

The FAMAS can fire consecutively with the precision of a good rifle, by three shot or unlimited blasts, by means of a firing selector. It can hurl 500 gram antitank grenades up to 75 meters, antipersonnel grenades up to 300 meters.

Technical Characteristics

--Total length without bayonet..... 760 mm
--Length of barrel..... 488 mm
--Length of line of sight..... 315 mm
--Weight of weapon without loader or sling..... 3,680 kg
--Weight of charged loader..... 0,450 kg
--Capacity of loader..... 25 cartridges
--Initial speed of ammunition..... 960 m/s
--Rate of fire..... c. 1,000 shots/min
--H and L accuracy less than 400 mm per 10 cartridges at 200 meters in consecutive firing.

The degree of reliability was tested severely during the evaluation procedure: it can stand cold, heat, rain, sand, mud, salt water, and even the lack of lubrication. However, the force available at the muzzle (the kinetic energy of bullets released in one second) can be estimated at about 30 kw, that is, in proportion to the mechanism's weight, ten times the force of a racing car. This rather daring comparison is only used to show that a weapon of this class is the product of advanced technology. Tactical experimentation during one year in one unit has shown that the performance of this rifle is indeed what had been hoped for.

The industrialization work was begun in mid-1976. Indeed, an enormous amount of work is needed to pass from the prototype research stage to mass production. Three full years were required to successfully complete this task, within very strict time constraints.

A simple enumeration can give an idea of the difficulties involved.

From research sketches, definition sketches of the parts must be drawn up which are the result of dimensioning, of the distribution of functional tolerance play; for, it must be kept in mind that all the production parts must be interchangeable.

Then comes the study of operational range, the designing and creation of the part-holding mechanism on machines, special tools, manufacture control gauges, the purchase of machine tools occasionally made specially for the tooling of one FAMAS part.

Finally, at the point of convergence of all these activities lies in wait the starting up of manufacture which is not without its difficulties: the accuracy of the machine to be improved, a tool to be adapted, delay in certain deliveries to be overcome.... In the last analysis, over 300 operations had to be synchronized.

Training of troops had to be undertaken following upon this equipment effort. Is there any resemblance between a production line of a weapon put into service 20 years ago and the FAMAS production line? Machines now have numeric orders, electronic programmation. The traditional cutter is occasionally replaced by a grinder. Heat treatments have become more accurate, more complex with vacuum or controlled atmosphere furnaces. As for tooling tolerances, they have been on an average reduced 2 or 3 times over.

After the manufacture of several pre-production units, to test the production tool, here is the reward for these efforts, the roll out of the first production lot. It successfully passed all the acceptance tests. Production is going to be accelerated and will attain as quickly as possible its cruising rhythm in order to meet the urgent needs of the French armed forces. This is the job the Manufacture of Saint-Etienne is getting on with now.

9330
CSO: 3100

BRIEFS

ANARCHIST MOVES--The anarchists in France are organizing. Implanted in only a few of the urban areas, they are said to be planning to establish "cells" in the small and medium-size towns of France. One of their organizations, the Anarchist Federation, plans to set up some mobile "anarchist radio broadcast transmitters." [Text] [Paris VALEURS ACTUELLES in French 14 Jan 80 p 14]

CSO: 3100

ITALY

TEXT OF MINISTER'S PROPOSAL FOR PUBLIC ADMINISTRATION REFORM

Milan IL MONDO in Italian 14 Dec 79 pp 55-69

[Report by Massimo Severo Giannini: "Report on Government Management"]

[Text] Parliament will have to discuss it but for a couple of weeks it has already been the center of a debate involving not only the parties and labor unions but the government and semigovernment agencies themselves. This is the report on the main problems of government administration which Civil Service Minister Massimo Severo Giannini submitted to the cabinet on 15 November and on the basis of which steps will be taken to reorganize the Italian bureaucracy. The detailed x-ray of the civil service machinery which it contains is intended to trigger ever hotter debate. But what are the real troubles it points up? Why has it become a field of conflict? IL MONDO hereby exclusively publishes the complete text of the report in order to supply indispensable documentation for all interested individuals and to promote the debate.

1. Report on Problems of Government Administration

1.1. Objectives

This report is submitted for the purpose of presenting to parliament the main problems pertaining to government management and, indirectly, also the stewardship of the other government agencies and to ask parliament to issue the proper directions.

We must particularly emphasize this request because--apart from any consideration as to the manner in which parliament should carry out its basic function of providing political direction--there are some entirely special circumstances involved in the matter of "public administration." As a matter of fact, the recent record features some rather unique episodes, to such an extent that parliament found itself facing the duty of adopting basic decisions brought about by bills which have gradually been submitted

to it, with final results that were bound to be negative. As the report will bring out in detail, there are areas where we have had conflicting policy directives and there are other areas where these policy directives cause confusion while still other fields seem to be entirely lacking any directive whatsoever.

There are obviously many other causes involved here, some of them quite remote, which worked toward the development of the current situation of serious malfunctioning of government agencies, taken as a whole, and this of course causes anxiety and worry in terms of the inability to govern. However, the report is not primarily concerned with these causes because it does not wish to become involved in all kinds of recriminations and, besides, because comments along these lines are always suspect of being rather easy and gratuitous anyway. Wisdom therefore persuades us to consider the past record as being closed and to look only toward the future and the steps that have to be taken.

1.2. The Regional 'Trunk'

The immediate future is overshadowed by two important events: the partial regionalization of the agencies of public administration, deriving from Delegate Law 616, dated 22 July 1977, and the basics for the agreement between the administration and the labor union associations regarding government employees for the period of 1976-1979. We will have more to say about the latter (4.1).

As for the former, it is only proper to recall here that LD [Delegate Law] 616 actually constituted the implementation of L [Law] No 382, dated 22 July 1975, the remnant of a bill which called for a two-stage program: identification of regional functions with assignment of said functions to the regions, in other words, reorganization of government functions and structures. The second phase was dropped in the course of a parliamentary debate.

On the way toward the preparation of what was to have been LD 616, it was pointed out several times that, in order to come up with a positive setup for government agencies involved, it would be necessary to proceed by stages in close coordination with the reorganization of the federal government, on the one hand, and the reform of the territorial, infra-regional setup, on the other hand. The second point brought up here was met with a policy response consisting of the submission of drafts and bills on which however no action was taken because the legislative term ended; there was no response at all on the first of these and instead the practice of taking these bills apart and putting them back together in a different manner was implemented; there was no response either to the repeated documents sent out by the labor union associations of the workers.

The complex of territorial entities--federal government, regions, provinces, communities--which, because of the reduction of nonterritorial

government agencies (see also 5.9) was to constitute the sustaining structure for the organizational chart of government agencies to come, failed in performing its role; as in the sketch of the human shape, only a part of the torso was properly drawn so that only the region was properly defined in the organizational diagram.

This report will not be concerned with the regional administration. Law 616 is not complete and satisfactory because--although it is based on a coherent listing of regional functions--some of the solutions presented here are incoherent to the point where they are unbalanced either on the part of the regions or on the part of the federal government--or they have simply been left undefined; and this is due to rather improper and out-of-place external concerns. However, the law did start some processes of clarification which are now being developed and in which one should not interfer, except to recommend that the terms spelled out be properly observed.

However, an urgent examination by parliament is requested regarding the reform of the setup for the agencies of government below the regional level. It is a fact, which can be documented economically and in business management terms, that, if the communes do not function, then the federal government will not function either since the communes render primary services for inhabited areas which--as shown by a visible and consistent past experience--not even the regions, which may have functions intended to make up for any communal deficiencies, can properly perform. The invisible administrative costs of the very small communes and the huge metropolitan areas have reached extremely high levels and the visible costs always fall to the federal government, as happened in the case of various laws and now in the case of the budget law. At a moment of rising concern over public spending, the difficulty of providing the necessary funds is no justification for delay.

1.3. The Government Enterprise

While a reform is urgent for the setup on the levels of government below the region, it is not true however that problems pertaining to government administration are being viewed from the perspective of individual and combined reforms, involving offices and agencies or standards dealing with personnel or others. The prospect is for a general rethinking of the position which these administrations hold within an advanced industrial state.

The organizational drama of advanced industrial countries, anywhere, in the same terms, is too well known to require further illustration here; within a few decades, starting as basic organizational agencies with a typically authoritative character, they have also become service managing agencies and they have also in the end become agencies handling the transfer of wealth. Each type of new functional groups was added to the preceding one, modifying some of its contents in the process, in the sense

of a quantitative reduction, although they always somehow served to reduce the authoritative area. The government administrations, which managed to adjust to this rapid change, did go on; the other ones, including ours, did not.

In this respect likewise, the report refrains from discussing the causes. It suffices to observe that, in our setup, the operational agencies, the service agencies, and the budget-managing agencies coexist in systems of juxtaposition. Rethinking the position of federal government agencies means realizing that--because of the dominance assumed by those of the second and third type--the federal government has accentuated its character as an outfit involved in tertiary activities, which it earlier had only in part, although in some cases it was also provided with laws involving authoritative power in order to be able to impose its own decisions through unilateral commands.

This concept must serve as a guide in analyzing the problems we are now going to look into.

2. Administrative Techniques

2.1. Backwardness in Techniques of Government Management

The use of techniques of government management in keeping with the activities to be carried out constitutes the area of major deficiency in government agencies. On this deficiency we must blame the popular image of government agencies and organizations as being made up--according to rather negative judgments--of bumblers and idlers; at best, they are considered slow paper-shufflers and cultivators of formalism.

We do not have any sociological research on the way in which these popular images were formed; operational surveys conducted by individual government agencies, in an effort to find out whether this popular image is really correct, are entirely too scarce and above all fragmentary; it is entirely too simplistic to blame the whole thing on the eminently legal training of agency directors or on their salaries which provide no incentives or on politization and the distortions caused by spontaneous labor union efforts although, in fact, one cannot deny the existence and significance of all of those factors here. According to a widespread opinion among the cultivators of the sciences of organization, the primary reason supposedly resides in the fact that not too much thought has ever been given to the problem of government management techniques or, if there was any thinking along those lines, there was no method in it or there was no perseverance, as demonstrated by those cases--such as some military agencies, some autonomous enterprise offices, some local government agencies in the north-central area, some medium-sized communes, some regions in the North--in which, instead of some thorough thinking, administrations were put together which, looking at Italy as a whole, somehow turn out to be relatively efficient.

Apart from these exceptions, everybody can readily see that the management techniques of government agencies are seriously behind when compared to those of private organizations. Starting with the backup services (records, files, copies, shipping, communications) all the way to the decision-making process, the technical phases involved in government agencies are on the average three times longer than those involved in private outfits and the products are always inferior. We are not considering here some specific aspects, such as those involved in the discharge of ordinary money obligations, the payment of indemnities, the payment of pensions, and so forth and so on, where government agencies are allowed to engage in the kind of behavior which the laws would forbid any private individual or outfit to engage in--much to the detriment of the average citizen. Thus we see that public power is often presented as a rather unique legal wrong-doer who allows himself to repress those very acts of wrong-doing in the private sector.

2.2. Productivity Problems

The failure to focus on questions of government management technique involving work organization and methods is reflected in the low level of knowledge which the government agencies have as to their own productivity. It is a good idea at this point to make it clear that the term "productivity" contains two connotations: the first, with a rather narrow range, refers to the production of goods or services provided by an individual worker within a certain span of time, in other words, in terms of man-hours or man-days or man-weeks, etc. (labor productivity); the second one deals with indicators as such. Thus, according to a widespread concept, we would have two indicators here: the indicator relative to effectiveness, understood as the ratio between results obtained and predetermined objectives, and the one pertaining to efficiency, understood here as the ratio between resources employed and results obtained, with those resources including not only human resources but also capital, raw materials, energy, etc. According to other concepts, there is only one indicator and that pertains to efficiency. Productivity here supposedly represents one component, although an important one, of efficiency.

Some government agencies have experimented and have come up with productivity-efficiency measurements, for example, in the field of finances, internal affairs, railroads, post office. On the basis of the indicators, they then try to introduce measures designed to improve labor productivity and/or efficiency-productivity. But according to many experts, most of the measurements are elementary.

We must note at this point that any attempts in this field must run into three kinds of difficulties. The first one is that, while some activities can be measured in terms of efficiency productivity, others are less suitable, in the sense that it is necessary to resort to magnitudes which can be arranged primarily in the form of numbers. The second one is the degree of exchangeability between labor productivity and productivity as

such (efficiency): the first is more easily measurable (as a matter of fact, fact, in the United States, in Great Britain, and in Germany they have managed to measure activities to the extent of 60 percent). The third one is that the instruments to be used in proving incentives for labor productivity and efficiency productivity are not homogeneous and are often rather empirical.

An example of this possible confusion involves the so-called work load. The work load, understood here as a demand quantity received from an organization, distributed over service-rendering offices, for example, the number of students who want to register in school, the number of applications for certificates) is a mere figure which is intended for the organizational office, in terms of providing office staff members and other necessities. Now it often happens that the work load-demand was used to develop and apply a rule determining the quantity of office actions to be carried out, in each office, or per office employee (in other words, the output standard). But in no case can the work load indicator be taken as a productivity indicator; instead in happened most often that the work load indicators emerged as productivity indicators, with rather disconcerting results.

2.3. Productivity Indicator

Regarding the productivity-efficiency indicators in particular, it must be noted that, although they require complex processing, they nevertheless can go far beyond what we normally believe possible if they refer to and if they use compositive qualitative parameters pertaining to the "satisfaction" of the users. For example, looking only at practices which are now generalized, in the field of instruction [education], we can now verify the gap between results obtained, even in the various subjects, and the learning objectives which were established in advance; for offices handling document requests, we can now index the time between the submission of the request and the release of the document; for registrations and searches, we can come up with an index for the ratio between the case load actually processed and the case load that should have been processed, and so forth and so on.

It is true that there is often considerable disagreement among experts in the science of organization regarding the preparation of these indexes or application methods. However, since they can be perfected for private outfits and individuals, they can also be perfected for government outfits and there is no scandal in realizing that an indicator is imperfect and is being corrected. What we are interested in here, by the way, is that the possible imperfection of results, looking at government agencies, cannot be considered as a factor relieving them of the need for applying the indicators because, as we have emphasized, that would put them in an inferior position with respect to private organizations.

2.4. Hidden Costs

Looking at government agencies, we have a factor--the hidden-cost factor--which normally tells us rather little in the context of private organization. This is a factor to which economists have several times attracted our attention and it consists of the economic costs of administrative activity spending deriving from the fact that the particular administrative function is performed in a standard operating procedure, with the participation of a considerable number of agencies and offices.

It is true that the sources of the procedural method involved here are diverse. Some as a matter of fact consist of standards spelled out in laws and they are provided to assemble the various public interests combined in a public decision-making process. For that part, the hidden costs can be dropped because they derive from the necessary components of the entire government setup and the principles of democratic government demand rather growing participation. But it is true that the laws sometimes presented as being necessary contain certain procedural participations which could reasonably have been left optional, leaving them up to the decision-making responsibility of the various offices and bureaus involved. But this is a problem of legislative drafting, involving rules which are beyond the scope of this report.

On the other hand, there is a jungle of procedural methodology springing from government, ministry, and in-house regulations--in a word, secondary standards--which constitute the most copious nourishment for hidden costs. Now, this flow of money is really spread around all over the place, through a persevering effort of empire-building and delegation of authority. Modern government management techniques as a matter of fact involve an apparently contradictory twin requirement, demanding ever bigger general action directives and at the same time calling for flexible instruments to be adapted to the change in policy and government management directives.

It is therefore necessary to change the thrust of in-house government operations and their regulation, as much as possible replacing in-house standards with government-wide administrative procedures (service regulations). Protection for those most directly concerned will remain intact because jurisprudence now equates the violation of general administrative regulations to the violation of formal standards whereas the various government agencies can find instruments for action and not constriction in the regulations themselves.

Collaboration with the labor union associations of the workers could result in fruitful contributions in this field.

2.5. Organizational Offices

Government agencies must set up organizational offices for themselves in order to study and determine the government administration techniques as

such and, along with them, work standards or productivity indicators and to take care of the continuation of the effort of permanently adjusting and correcting the existing standards and indicators.

We recall here that some "organizational and methodological offices" were established in the past; but, except for the national defense administration, they were allowed to wither on the vine wherever there were suspicions as to political and bureaucratic jealousies, in an effort to explain events which almost always were only expressions of languor.

Because of the diversity in the problems faced by the various government agencies, these offices could only be established in the individual government agencies where they are placed under the administrative section as such so that they can perform their activities in all of the various sectors of the government agency itself and so that they can have straight contacts with the labor unions. They are the ones to whom citizens and entities should address their complaints. They should furthermore operate in the style of the agencies concerned, in other words, they should also work to implement the decisions and to resolve individual cases.

In substance, these offices would combine the cognitive-diagnostic functions, through the productivity indicators, the function of studying the internal organization of the offices, and the function of providing consultation in drafting the service regulations. It is obvious that they would require professionally trained personnel, in other words, people who now are to be found only in a few federal government agencies; but one could provide for their training either through contracts with institutes or by sending them abroad [outside] or--sometimes on detached service--through the School of Government Administration (recalling here that the Civil Service College in 1975 had already graduated 942 specialists).

The establishment of these offices could be an experiment which should last for no less than 3 years; then one could decide whether the setup outlined here should be retained or whether it might not instead be a good idea--on the federal government level--to combine all of the offices into an external agency which could be the central agency handling federal government organization, with these offices also being assigned functions as civic defender [ombudsman], in other words, offices that would go into action in response to requests from citizens and entities. This is suggested here because, according to some experts in the science of organization, those offices would be exposed to a risk of collusion with their related government agency, with the result that they would simply go along with what those government agencies tell them to do.

It might nevertheless be useful right now to set up a central commission charged with analyzing the cost-benefit aspect, similar to the commission already existing in France, dealing with the kind of documentation and analysis that would be possible already today.

It is to be recommended that offices of this kind be established also under the regions, especially under those which have not in any way taken steps to provide themselves with such facilities in this matter.

2.6. Standardization of Measurement Methodology

The variety of productivity measurement techniques so far adopted leads to confusion among productivity indicators and other things; it also brings about a low level of agreement among experts in this field; the separation between organizational profiles and informative-diagnostic profiles likewise is not always clear; it is therefore a good idea to come up with a general methodology.

A research group has already been established for this purpose to determine methodologies; it was placed under the office for administrative organization, including some of the few experts we have in this field in Italy.

The draft which that group could come up with will be disseminated and on the basis of it, it should be possible to decide whether it will be a good idea to set up a permanent office for government administration techniques.

2.7. Administrative Implementability of Laws

Tied in with the techniques of government management, we have the problem of analyzing the practical administrative implementability of laws which, in Italy, is particularly relevant due to the way in which the laws of parliament or the regions are proclaimed. The problem by the way can be resolved either through an unwritten standard, requiring the preventive verification of the implementability of each bill, or with the help of a government office which would proceed to such verification.

The second solution is considered more practical here but its implementation is not feasible right now because of the absence of an agency with professional training to perform that function. As we start looking for professionally trained individuals or as we start training them, we therefore find that the prospect is this: either we establish a specialized office under the office of the prime minister or we put it under an already existing government agency. We look forward to a pertinent report on this from a study group.

2.8. Proposals and Program

The proposals being drafted in connection with this issue are as follows:

(1) The research group for the determination of methodologies will continue its work which foreseeably can be completed by February 1980.

(2) Following the determinations of parliament regarding this report, with a simple discussion in the cabinet, organizational offices can be established in each ministry with the following preliminary duties: (a) to list the subject matter to be delegated, indicating the necessary steps; (b) to arrange in advance, with the collaboration of the labor unions, certain general ministerial procedures for the in-house organization of the offices and for the development of administrative action, where possible in the meantime, gradually extending the scope through the progress of delegation; (c) to spell out productivity targets, of course with labor union collaboration--targets of a temporary character, pending the results of the study group mentioned under (1), above; (d) to draft productivity indicators which would likewise be temporary, on the basis of what we said under (c), above; (e) to list the possible external and in-house procedure simplifications by drafting proposals addressed to agencies with authority to take the proper steps.

(3) Make the proper decisions upon completion of the work of the group which takes care of the topic of the administrative implementability of laws being processed.

This part of the program, at least for the time being, does not require any action through laws. But it might happen that, to get the whole thing going, delegation laws might be required; likewise one cannot rule out the possibility that, with the same goal in mind, there may be a need for parliamentary laws to provide a disciplinary framework for the organizational offices in order to overcome resistances that might not look insuperable right now, using the instruments available, but that could become such. It could instead be probable that a law might be needed for the agency relative to the administrative implementability of laws. In substance, the activity pertaining to the adoption of adequate techniques of government administration is primarily up to the federal government itself, in other words, the government agencies; through the exercise of the directive-issuing authority, it could involve the public entities that are subjected to such authority.

We cannot expect results in a short time. The time required for attaining minimum efficiency levels can be calculated in terms of 5 years, provided the effort is constant and persevering, supported by politicians, civil servants, and labor unionists who commit themselves to a rough road without expecting any compensation. This is the only way in which honesty can catch up with high hope.

3. Government Agency Technology

3.1. Problems

The general, most important problems of technology involved in government agencies can be boiled down to two: the work environment and information

activities. There might be another one however which has been brought out on several occasions: the difficulty which government agencies are having in catching up with technological progress; but it seems that we can say, at least in general terms, that this is a problem of lesson and information to be solved through the reorganization of scientific and technological research administration since technologies of public interest vary from one government agency to the next.

We must arrive at almost the same conclusion concerning another issue that might be raised here: government agencies are now big users of technology which is why it would be necessary to spell out a contract policy for technological acquisitions. What we should in reality lament is either the improper use of public contract procedures or the lack of modernity in the procedures themselves about which, at least with respect to one particular aspect, we will have more to say later (3.6).

3.2. Work Environment

Everybody knows that the work environments of government agencies are to a great extent obsolete; but we lack even rough data here. As far as the federal government is concerned, as a matter of fact, the public land administration handles real estate but does not manage it as such and often does not even find out about the structural modifications that have taken place.

The public land administration--people will tell you--many times, always without success, has asked for a study of an overall and program solution to the problem and has pointed up the inconvenience of acquiring real estate property [buildings] erected for unofficial purposes, as well as leases (in 1979, the budget allocation for the latter purpose came to 57,626,753,000 lire, excluding Defense and Autonomous Enterprises).

The administration itself however claims that it would not be difficult to carry out a census, even in a short time, in other words, a survey evaluating the condition of buildings.

Greater difficulties however would be encountered in evaluating the needs, considering that those needs depend on the reorganization of central and local apparatuses to which one may proceed. However, one can identify situations of particular discomfort and one could prepare a multiannual plan indicating the reorganization of the entire housing situation through government offices.

Some people have been thinking about a plan of this kind in the past and a bill was even submitted on four occasions calling for the sale of government real property from available assets in order to sustain a fund, under the public works administration, for the modernization of government office buildings. But drafting such a plan takes quite a bit of time.

It is superfluous to recall that we are considerably advanced also in Italy in the field of architecture relating to the characteristics of these buildings; here in Italy we have public office buildings whose standard types have proven themselves through long experience. There is therefore no need to worry on that score and some government agencies already have some interesting study material available here.

3.3. Urban Development Aspects

Urban development experts on several occasions started a debate on the urban development aspects of public building sites, such as government agency complexes, public management centers, government agency sections of cities. The undoubted theoretical validity of this idea however is paralleled by the limited possibility for practical application and by the historical compactness of our population centers. It therefore does not seem that this matter could constitute a subject for centralized action and it should therefore be left up to the more carefully considered decisions of the community and regional administrations.

Even the attempt to introduce corrections would run into trouble in the case of the city of Rome after more than half a century of rather casual urban development. Nevertheless, the federal government's central organizational agency could get together with the community administration in order to try to reduce at least some of the inconveniences in the future.

3.4. Public Office Sites

We may assume that everybody goes along with the idea that big public offices should be provided with parking lots, dining facilities, kindergartens, and outpatient clinics. Some of the most recent ministry buildings as a matter of fact were designed and built with all of these facilities which work organization experts tell us are indispensable if we want to institute such practices as flexitime, official leave, the short work week, the more orderly distribution of office hours for agencies directly in contact with the public, and even work shifts. We have an abundance of technical studies on all of these questions.

Kindergartens and outpatient clinics, in terms of administrative aspects, involve contacts and may require certain agreements with community and regional authorities as the instances that are responsible for such services. But this should not be any different from what is already being done in a number of other countries: it does not seem that the greater laboriousness of instituting this system should constitute any major obstacle. The finance ministry has already gathered data regarding the financial and management aspects; this is not a subject matter which would require complex studies.

3.5. Government Housing Construction

This however is a significant policy point which has to do with public housing management. We recall that one of the most heavily debated problems in the past was the problem of concentration, in a single agency, of public building and facility construction activities, or the division of this activity over several agencies. The current situation is governed by the criterion of division: public works, defense, autonomous enterprises. There is only some slight element of ambiguity which is rather insignificant and which can be easily fitted into the system. The experience deriving from the adoption of the criterion of division is positive and there seems to be no need to modify it.

The problem instead comes up in a slightly different and more significant aspect which is the aspect of contracts and public planning: the current system or, we had better say, the current nonsystem produces the double damage of being a source of multiplication of public spending and an opportunity for private speculation.

3.6. Government Housing Construction Contract System

Legislation on public contracting--regarding the central federal government agencies--has experienced a rather complex development over the past decade. One can say that every fund-spending administration has, entirely or in part, modified the old system based on the law of federal government accountability currently in force, introducing continuous amendments, improvements, contract procedure streamlining, without however going in for a reorganization or reconstitution of the system as such. As a consequence we are today--when it comes to contracts and supplies--governed by a whole passel of laws which provide for exemptions and exceptions from the basic principles of the law of accountability. In recent years we have had amendments introduced along with spending laws, in other words, amendments which are valid only for contracts provided for in those specific laws. After so many amendments, exceptions, and exemptions from the principles of the law of accountability, the latter, today, are no longer even valid as such but apply as residual standards, valid only where there is no express provision to the contrary.

It seems therefore to be necessary to reorganize this entire subject matter above all keeping in mind the fact that Law 584 of 1977 introduced into our system--regarding contracts (and supplies intended for public works contracts) worth more than one billion lire--the provisions of an EEC directive which requires the coordination of our Italian public contract standards with the Community contract standards.

The latter standards are especially tailored along the French system which in turn is inspired by the American system, with a rather drawn-out reform extending from 1957 until 1964.

The French system--which has the merit of constituting an adaptation of the Community system to (American) Common Law in terms of a "administrative-law" publicity format--today represents the most advanced position among the public contracting systems and furthermore presents the advantage of having been changed gradually by the Belgians and the French-speaking countries of the Third World. In addition to that, given its American matrix, it also presents the by no means negligible advantage of being sufficiently similar to the systems adopted by the English-speaking countries or the common-law countries. For all of these reasons, the attempt at reconstructing a modern contract system must start with an analysis of that system and must be built on some fundamental points which can be outlined as follows.

1. Modification of contract procedures with equalization of Italian procedures with those of the Community system introduced often inadequately by Law No 584/1977, which is to be extensively amended and redrafted, keeping in mind the principles of the directive and the original system but also the situation of the current Italian system, providing better clarification for the scope of the new principles and the general standards.

2. Accentuated delegation of the contract system keeping in mind that only the principles must be contained in the legislative act whereas their drafting must be assigned to the more flexible instrument of regulations which permit the fastest updating and adjustments of the system itself.

3. To avoid the current legislative confusion deriving from continuous amendments contained in spending legislation, it would be necessary to establish a central coordinating body for the study and drafting of public contract system amendment proposals requested by any administration. In other words, this body would have to be a consultative organ that would draft the modifications in the system, valid in such, in general, and not for individual administration, separately.

Under the French system, the central consultative organ, in addition to having an obligatory consultative authority for standard-drafting purposes, also has considerably important tasks, such as the study and proposal of steps designed to update the variables in the price revision system, the study and proposal of formulas for incentives, for example, in research contracts, in research and development contracts, in study assignments, etc., which are very important among other things with respect to the practical application which these formulas must have both in defense contracts, dealing with very complex objects or machinery, and in plant construction contracts as well as contracts for telecommunications systems, etc.

It is a good idea to determine whether these competences should be reproduced in the central contract coordination body. If the answer is positive, as under the French system, then this consultative body should

be organized in the form of specialized sections and should include sector experts representing the interested administrations. It is evident as a matter of fact that only the spending administrations have the technicians suitable for this difficult task.

4. The central and peripheral federal government agencies furthermore should be organized so as to have special offices for contract negotiations with the assignment of taking care of contract procedures, from the beginning to the conclusion of the contract itself, to its execution and to its final approval, with autonomous responsibility, eliminating the useless authorizations and approvals from the heads of the various subdivisions or peripheral agencies. We would also like to note that it might possibly be good to centralize these contract offices in a peripheral place, making them the servants of all federal government agencies (Defense, obviously presents special problems and would not be included in this setup). This should be done to avoid duplication of efforts under any peripheral administration.

Thus, for example, the peripheral contract authorities could be concentrated in regional offices of the public works administration, obviously reorganized, through the assignment of civil servants who are experts in contract procedure techniques, so as to make the best possible use of the planning capacities of the technicians in these offices.

In this connection, it would be necessary to provide better control over the way in which the government agencies resort to the professional competence of private planning outfits; in this field, it will become necessary to carry out surveys and possible geomorphological investigations on the spot which would be required in drafting those contract specifications that would really be in keeping with the condition of these sites in order to avoid the troublesome disputes with suppliers, the indication of certain "reservations," and the revision of prices, possibly also enforcing responsibility for damage caused by the professional experts who may not have carried out these surveys with the proper care and "in keeping with the state of the art."

5. We would finally have to review the standards on the revision of prices which today is a source of excessive profits for suppliers, among other things making it convenient to extend contract execution in terms of time. In this field, the administration would have to drop the illusory myth of the "fixed price" and insert re-evaluation clauses into the contract which would be pegged to real statistical figures (ISTAT [Central Statistics Institute] data, business statistics, stock exchange quotations, both domestic and international, with reference to raw material prices, etc.) which would make it possible to allow price increases for the supplier due to increases in uncontrollable costs but which would eliminate any possible excess profits based on overall revisions at the end of the job.

3.7. Information Activities

We have no reliable statistics on the information activities of government agencies; from private sources it would seem that, as of the end of 1978, more than 100 electronic systems were installed, almost all of them on a lease basis, at an annual cost of around 40 billions. About a score of systems are in the high-power category, in other words, a central nucleus plus local terminals and nuclei.

The most important ones are in the General Accounting Office and in the following ministries: finance, treasury, defense, justice, interior, post office and telecommunications, public education, and transportation. As for the local offices, equipment and terminals are to be found in the various delegations of the general accounting office, in the provincial accounting offices, in the direct taxation offices, VAT, and registry, as well as in the directorates of education. As of the end of 1978, the personnel force consisted of 130 center directors, about 600 analysts programmers, and about 800 operators; this gives us a little more than 1,500 persons but we have a serious qualitative shortcoming here due to the absence of evaluations as to professional capacities.

According to very rough calculations, looking at overall expenditures for data processing, the government agencies would seem to account for 5 percent (in other European countries the figure is close to 10 percent and in Japan it is 15 percent).

These are the quantitative data. The qualitative framework on the other hand seems somewhat obscured because the technological process [progress?], which we have had in this sector over the past 10 years, found the government agencies rather unprepared. Electronic computers, which in the beginning were simple apparatuses for the registration of complex data, have since then become apparatuses for confirmation and verification, calculation, and participation in procedural phases of data processing and finally decision-making. There are also proposals for exploring certain standards, such as, for example, Article 28-1, 5 August 1979, No 468, concerning the consolidation of public accounts.

Change, combined with the interconnected use of computers by more and more government agencies, calls for the availability of highly specialized technical skills which only very few government agencies have been able to develop; those were mostly government agencies with foreign activity fields and the best-known among them is the Italsiel group which is government-owned.

The experts warn us that all government agencies need computers and sophisticated systems; but they think that it is probable that even among those who today need simple memory storage equipment, there might be some who in the near future could face higher requirements. In the field of international technical circles, some experimental applications in Italy have aroused interest in the beginning but the judgment is that, overall,

there are too many underutilized or improperly utilized computers and there is no coordination here. Those people who, in Italy, are concerned with this topic have the same opinion.

The fact is that information services no longer help the government agencies because of the way the in-house management system is set up; instead they serve for the purpose of running the government as such, in other words, they are increasingly projected toward the outside. The change in the role of the committee for the mechanization and modernization of public administration services--established in 1958 under the general government directorate for the procurement of computers--has been a most noticeable index of that; this committee has now shifted to concern itself with the utilization of computers with experimentation, with the drafting of initiatives, in other words, it has become a consultative agency.

What we need is a permanent analysis of the efficient use of computers, with reciprocal adjustments in terms of procedures and makeup.

We should therefore establish a center for information systems with the initial mission of coming up with a survey of existing computers, of the utilization of the possibilities of coordination and integration; it could operate in conjunction with the completed program on information science which was recently started off rather well by the National Research Council and with domestic and foreign information science organizations.

The "center" for the time being would not require any legislative action.

On the other hand we can today already look forward to the assumption of assigning to a specialized office the task of procuring computers for the state in models less basic than those currently in use. Keeping in mind that the assembly of information systems requires mixed contracts (job, knowhow, engineering, supplies, training, administration), we must realize that we cannot handle this subject matter within the context of public contracting such as it is now.

When it comes to specialist training, it is impossible not to think in terms of using foreign skills.

3.8. Proposals and Programs

Here are the proposals:

(1) Census of buildings assigned to offices with an evaluation of their functional nature; no law required here;

(2) Ten-year plan for government housing construction, of an indicative nature, to be inserted into agreements with regions and communities regarding urban recovery and with planning of well-equipped buildings.

(3) Drafting a law on contract procedures that would not reveal any of the defects of the past, including the establishment of a central public contract system coordination organ, as well as the establishment of planning and control offices;

(4) Establishment--through administrative procedures--of a center for public administration information systems.

4. Personnel

4.1. Collective Bargaining for Public Employment

The entire field of government personnel has entered a new phase with the introduction of collective bargaining. The "long agreement," negotiated from 1976 until 1979, has produced two bills, one of which involves the general law on public employment while the other one expresses the agreement in terms of standards.

It is not necessary to recall here the way in which collective bargaining was introduced into public employment; this is something that is widely known now. For government employees, the source of regulations in Article 9, Law No 382, of 1975, which, in its five paragraphs, established very clear principles: rules for civil service pay, conditions concerning recruiting, careers, responsibility, and discipline, 3-year intervals for agreements, separate agreements for the personnel of the autonomous enterprises, equal pay for equal skills.

After that we had the Report of the Parliamentary Investigating Committee of Structures, Conditions, and Levels of Pay and Standards (the Coppo Report), in 1977, and the opinion of the CNEL [National Council for Economy and Labor], 21 January 1978, No 163/112. The latter in particular recommended a gradual legislative harmonization between the public sector and the private sector. It called for solutions to promote the efficiency of administration, the adoption of a homogeneous negotiating place (in other words, the various subdivisions), functional qualifications, and a general law on public employment.

Through Law No 42, 1979, Law 49 and Law 101, 1979, provision was made--in a rather poor implementation of these guiding ideas--for the autonomous administration of the railroads, the post office, and the government telephone system. Looking at the so-called enlarged public sector, the guiding ideas were taken up in the contract negotiations involving the personnel of the local entities and the semigovernment agencies.

After the reforms of 1957 and 1970, this is the third reform which--following the adoption of the Republican Constitution--has been introduced for public employment. The first two produced a negative result "in terms of practical application, giving preference to the salary aspects over the structural or internal work organization aspects to such an extent that

they later on turned out to be mere opportunities for the allocation of economic advantages to more or less large groups of civil service personnel" (Report from the General Accounting Office on the General Account of the Federal Government for 1978, Part II, Chapter II, 1). The flood of laws and regulations only helped bring about this sad outcome; they constituted the major percentage of parliament's standard-issuing activities; they ran counter to basic principle and they conflicted with administrative jurisprudence which, where possible, equated the consequences of inequalities inevitably deriving from episodic and sector-oriented legislation.

For the sake of completeness, we must add that the two bills recalled here had to do with "empire building," more or less (in other words, assignment to the field of contract negotiations) above and beyond the principles contained in Article 9 of Law No 382, of 1975; the new principle of functional qualification, in that same place and elsewhere, has been given obscure and often contradictory application (we are talking here about the agreements for semigovernment personnel and for the personnel of the local entities where the principle of functional qualification has been mishandled entirely; see below).

These unpleasant observations show that neither the federal government, nor the communities, nor the labor union associations of the workers knew how to proceed in a clear fashion.

4.2. Model Law on Public Employment

The model law on public employment contains three groups of standards: those which determine the distribution between the subject matter that is involved in the agreement and the subject matter that confirms standards; those that spell out the principles of the employment relationship; and those that specify the contract negotiating procedures. As it so happened, the most import ones are those in the third group, from which emerges the outline of an enlarged public employment setup, in other words, covering the entire federal government, the semigovernment agencies, the regions, the local agencies below the regional level, subdivided into "compartments," determined by law but capable of modification (federal government employment, autonomous government enterprises, regions, local agencies), for each of which there is determined a delegation of public administration competent in handling contract negotiations; the delegations are always so made up as to assure the presence of government officials who are responsible for indicating the financial compatibility for the purpose of achieving the coordinated management of public finance.

Regardless of the framework for public employment, this part however seems to be retained since it ties the labor sector to the general handling of public finance which is up to the federal government on the basis of the material makeup in force.

4.3. Functional Qualifications

It is a good idea here to say something about the scope and limitations of functional qualifications. In the agreement documents as a matter of fact we find a rather unusual terminological confusion since there is rather mixed talk of functional qualifications, professional qualifications, functional levels, salary levels, and categories. A brief investigation however will show that this confusion was not prearranged: it would seem to come from failure to express the idea properly in linguistic terms, not from any malicious intentions on the part of the labor union associations, although one cannot fail to note that the latter refused to establish the essential contents of the various qualifications. But let us here skip over the aspect which can be said to be connected less to the functional qualification and rather more to the salary level independently of the actual content of the particular civil service activity performed.

In the concept which was spelled out in May-November 1976, the functional qualification was construed as a new "organizational model," drawn up with a twin purpose in mind: to regroup work of performance of similar content and to fix equal salaries for each group. For the first objective, something adjustable was assumed: the degrees of duty preparation required (which was stated improperly and which caused confusion with respect to "professional" training). In other words: no specific duty preparation, elementary duty knowledge, unspecialized knowledge, specialized knowledge, particular technical-practical expertise; for the higher skill levels, there was a second adjustable factor consisting of the degree of responsibility in supervising offices or groups of civil service employees.

The intention was to pursue the second goal by establishing a basic salary for each skill level, to be upped with the passage of time by means of biennial raises and in terms of "allowance categories," with a provision for faster advancement for merit and slower advancement for insufficient performance. Attainment of each skill level was to be based on public competition, with job slots being reserved for those individuals who were on the lower skill levels and who had met the requirements of merit and seniority; this, in other words, was to be a mixed system, with access both from the inside and the outside. According to the original blueprint, mobility from one administration to the next and within departments was to be assured within the skill levels as such.

If the blueprint drafted by the organization science experts--from whom came the term "job qualification"--had been correctly applied, then we would have realized that this was not in fact an "organizational model" but that it was more simply a design for personnel management which was difficult to apply and which was moreover incomplete. A first limitation consisted of the kind of work performance that could be expected from certain job skill levels but that could not be expressed in certain quantities, in other words, there were no definable magnitudes here; a typical example--which, by the way, the proponents of the idea of job

qualifications are familiar with--involve the teachers who perform equal activities in the schools and for whom rising salaries are based on the acquisition of experience, at least to the extent that we could legally assume that such experience would be acquired.

A second limitation involves job qualifications as such. The documents and the public statements broadly abuse the vocabulary of professional qualifications and status; the fact is that a particular professional qualification is independent of the functional or job qualification and we are thus connecting things that are not homogeneous. Job qualifications are identified either in relation to job titles, which are achieved after state examinations, or due to membership in certain technical and/or administrative career fields (which, as far as the government is concerned, are determined by law), with a definable specialization or through both of them together. This is why it is unthinkable that an engineer could be made to become a doctor and it is just as unthinkable that a customs inspector could be switched to the police, that a patent officer supervisor could be assigned to civil engineering, even though they may have the same functional qualifications.

Professional qualifications therefore vertically cut across personnel categories. In any administration and constitute an insurmountable limitation on the so-called internal mobility both within functional skill levels and among administrations. We must now ask ourselves whether the planned instrument of a single competitive examination for the attainment of various skill levels would be the best.

4.4. The Aspect of Pay

If we then consider the pay aspect, we must realize that the intent behind the personnel organization blueprint, as contained in the expression of functional skill qualification, is good; the basic idea was to reintroduce a pay equalization between personnel who perform economically similar services or, in other words, to equalize pay levels means introducing a principle designed, in part, to straighten out the pay jungle.

A coherently logical approach to the principle thus would involve the following: (a) the elimination of any special allowances; (b) an equal criterion for faster or slower advancement based on merit or failure to perform; (c) an equal criterion based on the correspondence among bonuses in view of the fact that they are not admissible and are not granted to be such; (d) this could also involve the well-known question of all-inclusiveness.

The mere listing of these consequences suffices to understand that the principle, once accepted, cannot have a tendential value. The compensation deriving from exposure to risk, from environmental hardships, and abnormal working conditions can be rearranged but cannot be dropped. The criteria of measuring good and poor performance cannot be the same in every

administration and control over them is left to general, in-house rules. Bonuses continued to exist even after the introduction of skill qualifications and parliament itself recognized them in the well-remembered laws Nos 42, 49, and 101, of 1979, and they assumed a rather debatable shape as far as the Post Office Administration is concerned. Bonuses already existed for the Finance Administration (where they assume rather delicate aspects and can be turned into incentives for harassing the citizens).

All-inclusiveness was tenaciously (but not coherently) affirmed by the General Accounting Office, also in the Report on the General Accounts of State for FY 1978, where three paragraphs (Chapter II, Section 1, Part II) were devoted to a general pay reorganization.

4.5. Questions to Be Resolved

Concluding this portion, the questions which parliament must address itself to seem quite obvious: should we continue with the adoption of the design based on functional or skill qualifications? Is it conceivable that, in this way, we could reduce the more than 500 job registers of government administration to just a few units, which is the desire of those who introduced the whole idea? What can we do except to eliminate the pay jungle by reducing it to controllable terms?

Parliament cannot believe that it is already committed by virtue of the passage of the three above-mentioned laws because they moreover constitute distorted and contradictory applications of the skill qualification plan.

4.6. The Alternative of Return to Private Control

If, looking beyond the current uncertainty, we try to find the reasons for this troubled situation, then we realize that they can be found in the process of forced public control which employment and work relationships with the public entities have been subjected to over the past half century. The fact that the administrative charge was given exclusive jurisdiction over public employment controversies was tantamount to expelling the mechanism deriving from the central nature of the process regarding every juridical experience, to the point where the administrative judge did not hesitate to rule that any kind of work relationship involving a public agency was a public work relationship and, by pushing the standards to their limits, invented term-based public employment, public employment relationships governed by private employment standards, and contract-based public employment relationships, thus changing situations that had arisen in the form of private-law relationships. The General Accounting office then intervened in order to regulate the expenditures for the personnel of public agencies and further accentuated the public aspects of these relationships.

This tendency was reversed gradually as private employment relationships acquired semistability and as the welfare system spread within public employment; collective bargaining for public employment was introduced under the heading of "bringing the two relationships closer together" but without looking at the basic problems (and, quite frankly, not even Agreement 151 of the BIT of June 1978 was fully aware of this).

Service relationships, in public employment and in private employment, are the same: the officials, the technicians, the workers of Government Railways--being public employees--perform services which are not dissimilar compared to those of the corresponding workers in the ENEL [National Electric Power Agency] who are private employees; the engineers, accountants, and file clerks of the federal government perform the same activity as those employed by a private company. The difference is this: some of the civil service employees add an official relationship to the service relationship when they take charge of certain government agencies and in that capacity they act on the basis of government authority given them; they are the persons through which public power is expressed. There is therefore a group of civil servants who hold special status so that, in actual terms or in potential terms, they are the bearers of public power.

We must now ask ourselves whether another possible way might not be to place work relationships with the federal government, not connected with the exercise of public power, under private control, retaining as a public-law relationship only the relationship of those to whom such exercise is entrusted or can be entrusted, that is to say, the current directors and supervisors.

There would be nothing to any objections that might be raised to the effect that this could break up the organizational charts and cause confusion in recruitment based on competition because both of them also exist now in private enterprises.

4.7. Public Management

Regardless of the criterion we accept--but certainly even more so if we take the second one--the problem we face here involves public management which is being resolved any way because the laws in force are contradictory, rather than uncertain.

There are various theses confronting each other here. With reference to the situation such as it exists in Italy now, there are those who would like to include supervisors in management; there are those who would like to retain the current situation, improving it only; there are those who would like to limit management to the current top two skill levels. Statistically, the first opinion is most widespread but, for example, Great Britain and France follow the third one which is the one employed by private companies.

Arguments are often introduced in favor of the various ideas which spring from special interests. Regarding the federal government, if the managers are administrators or functional participants in administration, then we would have to accept the third idea so that we would have to restrict the current management level through a quantitative revision but at the same time we would have to give the managers broad decision-making power, considerably more than they have now, if they are in charge of certain offices, especially within the organizational setup of the various offices.

But we note that this kind of management setup does not as matter of fact--within the federal government--involve the abandonment of supervisors because we must accept the idea that technical management of the administration is the job of supervisors and managers together. The legal status of the supervisors therefore cannot be devoid of specific guarantees designed to protect their careers.

After 1972, managers were unfairly held back as a result of a leveling of pay scales which only provided an incentive for the departure of experienced personnel. Once we agree that access to management positions must be based on open competition, then we must not pay those managers in any manner different from the managers in private enterprise.

Finally, to avoid any doubt, it is a good idea to realize that there are sectors where, for various reasons, there are no managers or where they are more or less in the background, as in the case of military personnel, teachers, researchers, and other special careers. If anything, we can only have pay equalization here.

A policy has to be worked out also on this critical point.

4.8. Personnel Recruiting

Another point we must review is the personnel recruiting system, regardless of the decision on the problems described above.

The current system reveals the following phases:

(a) (Annual) advance authorization from the prime minister, based on a ruling from the Higher Council of Public Administration;

(b) Announcement of competition by the individual administrations, separately, for each register and for each career;

(c) Appointment of examination commission;

(d) Holding written tests and, after they have been graded, giving oral tests; determination of ranking;

(e) Request for and examination of documents of preference and precedence;

(f) Drafting and approval of classification;

(g) Request for personal documents for the purpose of appointment;

(h) Appointment decree;

(i) Order to report for duty.

This takes three years, on the average, and it may be more in cases requiring a formal check by the General Accounting Office, involved in phases (a), (b), (c), (f), and (h), with all of the necessary paperwork going in both directions.

The systems also calls for some other observations here:

(1) The content of the tests: theoretical and conceptual aspects predominate; the possibilities offered by technical-practical tests are little used; there are no aptitude tests.

(2) Examination commission; the commissions are made up of part-time personnel; the possibility of using capable retired personnel is little used; this would have a moral and social value in addition to positive effects on the economy of the entire competition procedure.

(3) Announcement of competition: every administration [government agencies] jealously guards its own personnel, even within the same ministry, where there are several registers; the possibility of arranging decentralized competitive examinations on the regional or interprovincial levels is not well used here; even where decentralized competitions are scheduled, the commission members are not always selected locally (except for some job registers in the finance field, for example customs).

(4) Degrees in education: the legal value of a degree in education encourages conceptualism and the generic aspect of education; on the other hand, since there is no link between the schools and the job world, it becomes difficult to recruit people on the basis of professional qualifications--even if one wanted to do so--except for some eminently technical activities.

The system should therefore be modified and we should adopt techniques in use in other industrialized countries, which are as follows.

First of all, we would have to analyze the various jobs as such, we would have identify the required knowledge and skills in each of those jobs. That would show us some job functions which involve the same qualifications but for which different competitive examinations are being given today; here, those competitive examinations could be combined into a single nationwide competitive examination (or regional competitions).

To eliminate the inconveniences we are facing today, it would be necessary to transform the very nature of the purpose of competitive examination; rather than coming up with "winners" to be assigned to a certain job register, the national competitive examination, let us say, for land surveyors, should "license" suitable individuals to be placed in a classification based on merit, from which the various government agencies could draw at any moment, gradually, that is to say, as vacancies arise in their various departments.

The suitable individuals would be entered in a register, to be updated annually on the basis of the results of new competitive examinations which, if possible, should be given in autumn, to give the high school and college graduates during that year a chance to participate without having to wait too long.

In place of the traditional tests of an expositional character--which are sources of differences in grading and slow procedure--we should have tests of the following three types:

(a) Multiple-choice questions (with five alternate answers, each, to avoid the temptation to respond "at random");

(b) Questions calling for a definition;

(c) Questions calling for one or more responses of an expositional character, with specific instructions, not to exceed a certain number of lines, however, so as to ascertain the applicant's capacity for synthesis.

That would apply to administrative and nontechnical personnel. For technicians, the written test (or several written tests) could be structured in a similar manner, replacing questions calling for a definition with a requirement for demonstrating the validity of technical expression, for example, mathematical or algebraic ones, as well as questions calling for answers of an expositional character to solve one or more practical problems. Any possible foreign-language knowledge should also be tested by means of similar instruments.

To make sure that the correction of the multiple- choice portion of the test can be handled by computer, it would be necessary to improve the reliability and speed of correction operations together. Besides, a completely negative result on the multiple-choice portion could relieve the examination commission for the need of examining the other portions of the written test.

Applicants who passed the written test would then have to take an oral examination, to be given in the traditional way. The final classification of suitable personnel could be approved rapidly because the determination of the other requirements or other knowledge for hiring could be postponed to the moment when suitable individuals are summoned by the

individual government agencies and, therefore, the investigations by the control organs, which considerably contribute to the slowness with which vacancies are filled, could be handled on that last level.

This system is in use today in the United States, Great Britain, and some of the federal states of Germany and it is operated by a central office or by local offices under the direction of that central office (for example, in Italy, that could be the government commissioners attached to the regions), especially for those job registers which can be drawn up on the regional level. But we must realize that this system will entail a certainly high organizational cost.

4.9. Single Registers and Special Register

There are two other problems here, apparently minor, relating to the single registers and the government personnel register.

DPR [Presidential Decree] No 618, of 1977, in its Article 122, established, under the office of the prime minister, an office for single registers of white-collar and blue-collar workers. The name really does not express the function since the office was to be concerned only with receiving personnel coming from government offices and outfits that had been eliminated, either on the basis of Law No 70, of 1975, from the group of semi-government outfits, or due to DPR No 616, of 1977, completing the regional setup; in other words, it was supposed to distribute personnel among government agencies with personnel shortages on their request. The numerical size of single registers was established at 3,567 personnel slots, corresponding to the vacancies existing as of 21 January 1977 in the registers of government agencies.

The office indeed received personnel from discontinued outfits but that amounted to only a few hundred (389); subsequent standards (for example, Law No 641, of 1978) on the other hand allocated but did not assig to the office any other personnel and now even more people are coming from other discontinued agencies. The obscurity in these standards gave rise to continuously conflicting interpretations.

Article 7, Delegate Law No 382, of 1975, established that the delegate law was to be used in constituting a combined register of government managers, with the exception of the managers of some administrations. The delegate law was not promulgated.

The single registers reappeared--this time in the form of job qualifications--in the agreement between the federal government and the labor unions and in the bill designed to pass them into law. The standard is one of those that are difficult to apply, except for skill levels not involving management officials. The latter, as a matter of fact, would require very laborious adjustments.

We therefore have a whole mess of standards covering single registers which are moreover heterogeneous because the registers under Delegate Law No 618 do not have much in common with the registers of managers or with the skill level registers.

There is therefore tremendous confusion regarding the administrative cost of handling these single registers; although we have no suggestions at this time, the topic is one of those on which we must reflect deeply and make a decision (we would need a minimum of 5 years to update a system for single registers). It might be that we would immediately need a standard for the adjustment of single registers under DPR 618 whose experience is a rather disputed thing.

The government employee register was provided for under DPR No 3, of 1957, and then in Article 23, DPR No 1032, dated 29 December 1973, established the "personnel index card" in order to speed up welfare benefits and to provide the Higher Council of Public Administration with an information instrument.

As of now we have established a study group within the Higher Council and the ENPAS [National Board of Social Security and Welfare for Civil Servants], to study the feasibility of this step; the group has gathered much material but is having trouble getting data which some ministries refuse to forward.

There is also confusion on the civil service personnel register in terms of the cost-benefit ratio; a decision is therefore necessary.

4.10. Market Study

One very urgent and repeatedly mentioned requirement relates to giving the federal government an information-gathering instrument involving the following: (a) human resources, in qualitative, quantitative, and territorial terms, needed to operate public structures; (b) jobs available in the various government agencies, with specific data breakdown. The purpose is to be able to draft medium-term personnel policies.

The bill on the model law for public employment proposes the establishment of a labor market study section under the ministry of labor which would also cover the public sector.

4.11. Education and Training

Personnel training, both basic and advanced, is today insufficiently organized because the Higher School of Public Administration and the other schools operated by the individual government agencies are caught in networks of standards and directives which they have little possibility of acting upon. We therefore need a preliminary authority delegation effort.

Management personnel are trained in courses given by the Higher School; for 6 months, all newly-appointed officials take general courses at the school and under the various government agencies, covering professional subject matter, with instructors drawn from their particular government agencies and from the school itself. We note the efforts made by the school to improve the faculty and the teaching methods but, according to young officials who have just graduated, the results are not in keeping with the effort and the cost.

Elsewhere, the training, not only of management personnel, but also of civil servants in other categories, is given directly by the individual government agencies through small groups of instructors who in turn were trained at a central school. The courses are given within the various agency subdivisions, in a short time and in a concentrated fashion. This is a system which, according to the experts, is preferable. The same criteria are employed in giving retraining courses to personnel transferred from one agency to another (an aspect which we know nothing about).

Technical job refresher training is also handled by the Higher School and other special schools in the individual government agencies, operating under the supervision of the Higher School. The refresher training courses given by the Higher School are tailored for management personnel but various government agencies, especially technical ones, are also giving courses for nonmanagement personnel. According to current evaluations, these courses are good but they should be stepped up and programmed long in advance.

The Higher School also gives recruiting courses and should give management courses. The former are a special aspect of our organizational setup; they are run by young college graduates and by those college graduates who want to go in for an administrative management career in any of the government agencies; they take the place of the competitive examinations from which the conceptual part is dropped. Individuals are admitted to these courses on the basis of their current job titles and conferences; they last 12 months and there is a final exam at the end.

Special attention was devoted to teaching methods. The first course began this year and results are expected during 1980.

The law finally provided the groundwork for courses leading to management positions (Article 22, DPR No 748, of 1972); those courses last 14 months. But they have been postponed so far because of protests from various government agencies. The protests are justified, as a matter of fact, because the agencies remain deprived of considerable numbers of management personnel throughout the long duration of the training course. The implementation of this law therefore has been suspended in order to study a more reasonable method.

The organizational structure and operations of the Higher School present numerous other critical aspects. The entire matter however should be the

subject of legislative action which could also be prepared rapidly after there has been at least a general discussion on the concepts presented here.

4.12. Requirements and Program

We need guidance from parliament on the points contained in this section, as follows:

(1) Personnel setup based on job skill qualification and principles of pay system; (2) makeup of management system and management personnel; (3) possible return to private operation regarding the work relationships of nonmanagement personnel; (4) Standardized recruiting systems; (5) Experimentation with single registers; (6) public employee register; (7) basic and advanced training for personnel.

In particular, the personnel setup and the principles governing the pay system are already under discussion through the public employment model bill. Here we have two opposing requirements: it must be developed in depth because of its innovative function and that could call for a by no means short period of meditation; on the other hand, it must be passed promptly as far as the procedural portion is concerned because the federal government cannot continue to operate in limbo regarding collective bargaining relative to public employees not directly under its control, something which as a matter of fact has been happening until now, with the resultant waste. It is obvious that the decision to return relationships with nonmanagement personnel to private control would still leave the procedural norms intact and would make others superfluous.

The determination of a direction in which to move regarding points 2 (managers and supervisors), 4 (recruiting), and 7 (basic and advanced training) will facilitate the rapid submission of bills; by the way, concerning the management setup, there is a commitment for the government which runs out on 30 June 1980. Points 5 (single registers) and 6 (public employee register) in a certain sense fall in line here.

5. Federal Government Reorganization

5.1. Government Enterprise Sector

Law No 468, dated 5 August 1978, constituted a most noteworthy step forward in getting control of the government budget, of public finance, of public accounts--in a word, the enterprise management aspect of the federal government as such. Practical application has not yet taken hold fully; however, we now do have an instrument for the central control of public finance. One development here can be seen in the procedural norms of the public employment model law pattern.

Further developments are needed, including the following:

Economic-financial analysis of spending, broken down by component parts; the network of public accounting offices--central, regional, provincial--which are now expenditure recording organs should be recast to be in conformity with Law 468; in particular it is necessary to make provision for a detailed expenditure analysis (Article 4, Paragraph 4, Law No 468);

Contracting procedures: we already talked about that but the profile now is broader and involves all public contracting activities still dominated by formalist concepts which however have been rather improperly imposed upon the regions and the semigovernment agencies with results that too often were downright funny. The intention here is to separate the subject matter of contract procedures from the public accounting norms, reviewing the entire norm setup, with particular emphasis on purchasing contracts;

Public accounting norms: they will be simplified, through the adoption of in-house procedures of a private-enterprise type; the flood of paperwork coming from the various offices means little if one knows how to use electronic computers. There have been quite a few scandals in this connection already, such as those involved in the payment of pensions or salary payments for government officials abroad;

Government agencies with alarm or alert missions and mechanisms: the mission offices, in other words, those which keep track of the development of practices, from the beginning to the end, are not now in use in our setup, whereas they are quite customary in private companies and in the American, British, French, and other organizational systems. We see no reason why they should not be introduced also in Italy. They would be very useful not only to ascertain the implementation of laws and regulations but also to eliminate--regarding spending--the accumulation of liability residues, as well as alert mechanisms, since it would be possible in this way to signal the presence of bottlenecks and obstacles usually springing from the failure to coordinate operations between various government agencies.

Each of these improvements--as we might say--of principles implicit already in the standards currently in force which, to a certain extent, would eliminate the troubles we have been having in the past, would require new standards but it is important that we point up the urgent need for them.

5.2. Links between Federal Government and Regions

The implementation of Law No 382, the laws on national health service, on vocational training, on the 10-year plan for public residential housing construction, on public aid to agriculture (the agricultural development law), and the initiation of regional legislation to implement the standards on the completion of the regional organizational setup (DL No 616, of 1977)

underscored the vastness and depth of the changes that must be made in federal government administration.

Here we must start with the apparently simplest aspects, such as those involved in the collection of data--on the national level--regarding the country's situation as a whole; these data used to come to the central government from the peripheral government agencies. Central decisions are based more on intuition than on organically acquired data.

Every central administration therefore must establish (or strengthen or reorganize) those facilities which provide a link with the regions regarding the collection of data necessary for the exercise of government functions and viceversa, implementing the provisions already contained in Article 34, Law No 335, of 1976. This means approaching relations between the federal government and the regions from a different angle due to the fact that the regions are now real structures.

It is as a matter of fact necessary to realize clearly that the approach codified in the Constitution has been changed; the relationship between the federal government and the regions is no longer a relationship involving legitimate federal government control over the actions of the regions, a relationship involving the power of the federal government to limit the standard-issuing powers of the regions through laws, within a context of separate levels. The context now is one of reciprocal implications, in terms of planning activities and, in general, in terms of public interest, with specific functions now distributed in various ways (public health, housing, etc.), whereas there is coordination in other areas.

But while one can therefore say, on the one hand, that only the uninformed could believe in the disruptive effect deriving from the establishment of the regions as an institution, it must however be admitted that the federal government did not bring these structures into existence to clarify its relations with the regions, the only institutional link consisting of the Interregional Commission, in accordance with Article 13, Law No 281, of 1970, which in practice has assumed much broader functions than those intended originally. One might argue that there are various collegial organs within the federal government which have regional representatives because this involves agencies that take care of sector interests, where the main point is to tie the decisions of the regions, pertaining to regional economic policies, in with the economic and financial policies established by parliament, in other words, the purpose here is to connect general interests with each other.

This matter calls for careful reflection and, because of its obvious constitutional aspects, it demands determinations which are exclusively within the purview of parliament.

5.3. Federal Government Decentralization

The matter involving the territorial organization of the federal government is much simpler; it could basically be settled by giving the regional government commissioner a key role in any federal government activity in the regional area, either if it was brought into being by local agencies of the federal government or if it was established by central agencies whose actions however have regional effects.

If we therefore should want to implement the provisions of Article 5 of the Constitution, we would--except for some special cases--have to think in terms of a regional decentralization of federal government agencies, drawn up so that the regional organs would have all of the operational authority and functions held today by the central agency. At most, in abstract terms, we should no longer have any administrative acts by central authorities different from general provisions, acts involving directives and acts involving organizations. The nonmanagement personnel registers of many administrations could also be regionalized so as to reduce the size of the problem springing from the difficulty in transferring public employees. Similarly, spending authority should be given to the regional organs and, in the government budget estimate we should include a table which would indicate the expenditures that could be distributed over the regions.

This point is very closely connected to the next one in the sense that the decentralization of federal government organization is influenced by the makeup of central power.

5.4. Reorganization of Central Power

The way to assemble the central authorities of the federal government as a matter of fact is a problem on which we have heard dozens of proposals at various times, rooted to a great extent in the mere observation of inconveniences. Instead, there is a constitutional basis to that problem which depends on the way in which we understand the institution of parliament as such and the institution of government as such.

Almost all of the interpreters of the Constitution agree that if parliament is, in substance and with the exception of differing opinions as to the results, revitalized in terms of its structures and its functional nature, the same thing has not happened with respect to the federal government, nor for the substantial relationships between parliament and government which remained those of a parliamentary system, that is to say, a system in which the government is concerned with few things, while parliament is concerned with even less.

Elsewhere, the material setup developed in the form of some wiser adjustments; after eliminating the possibility, for different but evident reasons, to make reference to the experience of countries with federal

governments or presidential systems, the useful experiences we can draw on here are those of France and Great Britain, both of which have efficient and prestigious government administrations.

In the French experience, the central units of government administration are the ministries, conceived as major units of government, organized in smaller departments, some of which have considerable autonomy but no political standing. This criterion promotes the compactness of government action to the detriment of parliamentary control; it is true that, in France, under the current constitution, the functions of parliament have been attenuated but one must also consider the prior constitutions and that will show us that the situation has not changed.

The British experience presents the opposite solution in that parliamentary control and leadership are heavily emphasized: the government machinery as a matter of fact is made up of differentiated units, some in the form of ministries and others in the form of services and central offices, to use a conceptual order which we are more familiar with; until last year, there were 107 central units of which 23 constituted the Cabinet, in other words, the organ governing functions in the strict sense of the term. The compactness of the government set up is assured by the cabinet ministers of whose deliberations the noncabinet ministers are, in various ways, the executors. Besides, the system makes it possible to group various units into one, depending upon the policy directives, especially regarding economic policy.

The Italian Constitution does not regulate this matter even though, according to interpretations subscribed to by most people, one could derive, from Article 95, the rule to the effect that the structure of a ministry should have such a dimension as to enable the minister running it to be completely responsible for an administrative sector which can be determined through its relevance; but there is still very little clarity as to what this relevance consists of.

One thing that is certain is that, so far, the lack of a political criterion for government organization has brought about minireforms in some sectors, in other words, it has brought about operations which--it is pointed out quite frankly--boiled down to gratifying the bureaucracy, without any appreciable results. We therefore need a clear choice by parliament on this crucial point.

It is of course understood here that what we want is a basic indication which would spring from the current distribution of ministries and which would not immediate propose any new architectural rennovation. We should as a matter of fact consider: (a) that the only features of homogeneity between the current ministries are those relating to the fact that all of them have a ministry office and general managers while, for the rest, each has its own characteristics; (b) that in Italy likewise we have atypical organizations, such as the Offices of the Ministers for the South

and for scientific research; (c) that, along with the old-line ministries--the oldest, as a matter of fact--we have others in which we attempted new experiments, for example, those involving collegial leadership, such as in the case of cultural assets; (d) that the level of knowledge available at this moment regarding the effectiveness of the exercise of functions not only by the ministries but by all government agencies is entirely inadequate.

The last of these points is particularly decisive: a reading of the laws and a consultation of the ministerial organizational charts will furnish us only some rough requirement outlines but will not tell us anything at all about the actual existence of the particular function (and we already know of cases of functions that remained in the condition listed), nor about the dimension of the exercise of these functions (and we know about cases of government agencies which are either too big or too small as compared to their function), nor about the hidden functions (that is to say, those which the legislative branch did not have in mind but which do nevertheless exist), nor about those that were entirely forgotten (in other words, those that should exist but do not exist, and there are quite a few of them).

To get all of these data, the Cabinet on 25 September 1979 resolved to proceed to an information survey which it assigned to FORMEZ [Studies Center for the Development of the South], a public organization which supplied other extremely good surveys. The institute could in a short time complete an initial research phase also by using the data processed by some of the federal government agencies (for example, in finance).

It is perhaps a good idea to recall here that, contrary to a widespread impression, rather than opinion, there is currently a declining tendency in public personnel hiring and that federal government personnel, except for a few sectors, does not seem to be excessive in terms of numbers, although the personnel is frequently improperly distributed. The information survey should also furnish more precise statistics on this important aspect.

After all of the materials have been gathered, it would be possible, on the basis of the indications which parliament could have in the meantime, to put together an organizational chart, in the awareness that this is not just an imaginary design.

5.5. Higher Council of Public Administration

It is certainly a bitter thing to find that the federal government does not know as much about itself as the simplest little businessman knows about his own business. This is especially so since, this time, the legislative branch did provide for an instrument and a means in the form of the Higher Council of Public Administration and in the annual report submitted in parliament on the state of public administration (DPR No 382, 1976).

Initial technical-legal errors made it difficult to get the instrument and the means to function properly. The Higher Council was revived; but, along with the reorganization of the government machinery, it should again be carefully studied, above all as a permanent documentation office for the government machinery as such, in other words, an office of propulsion and study for the revision of the individual organizational structures, including aspects pertaining to personnel.

To tackle these problems, we would have the following: the establishment of an inspectorate of administration, the establishment of a research organization dealing with public administrations; the adoption of the regional subdivision of peripheral offices; the organization of the ministries (the organizational setup involving general directorates and divisions would not be allowed for ministries that do not have any operational functions); the emphasis on aspects of collegiality; in-house decentralization (in other words, the broadening of the decision-making areas of the various offices); implementation of in-house controls over personnel and office procedures.

5.6. Office of the Prime Minister

The setup for the office of the prime minister, required under Article 95, Paragraph 3, of the Constitution, has already been the subject of three government bills and two parliamentary initiative proposals during the term between the first to the sixth legislatures; all of these schemes came out prior to the regionalization of the Republic.

The topic has two political-constitutional aspects. The first one has to do with the exercise of the power to determine directions, the maintenance of the unity of direction and coordination, which, by virtue of Articles 92 and 95 of the Constitutuion are within the perview of the prime minister; it is evident that the content of these powers varies according to the formula we adopt for the government organizational setup, because if we were to adopt a model of the English type or a similar one, we would need more accurate juridical control over these powers and relationships between the components of government in the broader sense.

The second one has to do with the makeup of the organization of the offices within the office of the prime minister and this again depends on the choice we make regarding the formula for the government's organizational setup. The English-type model involves offices within the office of the prime minister for the latter's instrumental functions alone and the cabinet as such (documentation, coordination, conflict-resolving mechanisms, social-economic data preparation mechanisms), whereas the French system provides the placement, under the office of the prime minister, of so-called currently interdepartmental offices, that is to say, those offices which take care of a public interest that can be identified but that is not sector-related, while other branches take care of other public interests (the attribution of copyrights to the office of the prime minister,

in its time, sprang from the interdepartmental character of the public interest concerned).

We might note that the models need not lead to myths and that they must not be established in an excessively rigid manner. However, they must always be given the role of basic indicators since past experience shows us that irregular and atypical creations tend to overwork the government agencies, if only because they continuously confront them with tough problems of interpretation.

A commission has been established to come up with a preliminary study of this problem and the two preceding problems; that commission will get the data from the information survey in good time.

5.7. Autonomous Enterprises

The big talk about reforms in the autonomous enterprises, which has been going on for so many years, has produced little success. Apart from the ANAS [National Road Board] and the Government Telephone Enterprise, which are nonproprietary [improper] outfits, and considering instead the agency-enterprises, we can say that parliamentary action so far has been expressed only by increases in personnel and in personnel salaries. These are paralleled by growing increases in deficits (the Report from the General Accounting Office this year likewise presents eloquent statistics); this, together with the unsatisfactory enterprise efficiency levels, constitute facts which, politically speaking, contributed to damaging the image of the federal government.

We must realize that the debate always had very little effect. The question, which so many labor unions have been emphasizing, as to whether the minister should be placed above the enterprises here, is only peripheral; the same is true of the question as to whether these enterprises can be converted into public entities. In any case, the railroads and the post office involve so many of those public and private interests that it is unthinkable that parliament should not concern itself with this issue; this is a firm point and no discussion is admissible on it; but it is also true that the legal-institutional instrument is rich in infinite resources, so that this firm point will allow a plurality of developments.

The only trouble is that the problem is not institutional. One can agree in saying that the general norms on the structures of the government machine and on federal government personnel do not really fit in with the autonomous enterprises and, as a matter of fact, the latter demand and often obtained continuous repeals and amendments from parliament in permanent contradiction with itself. On the other hand, the solution which some people think would be good here, the solution of turning the whole thing over to private control, could be tackled by first of all considering the only condition to the effect that the incomes, for example, of the railroads, should not be made up different from the treasury because of

their share due to the fact that they are major entities. We would thus maintain that anybody is capable of managing an industry whose revenues come from at least one-third of the budget and it is easy to go on existing for decades by disregarding the expectations connected with a cherished future.

The problem is thus an enterprise problem as such; how can one have a productive organization which (a) would be efficient and which (b) would constitute a tolerable burden on the taxpayers? The institutional forms are purely a consequence of the way in which that question is answered. It must therefore be studied.

5.8. Efficiency Controls

The topic of controls is another sore point as demonstrated by the quality of initiatives, aggreements, and debates. But it must be admitted that it is constitutionally determined by Articles 100, 125, 130, in other words, constitutional provisions which codify and impose the antiquated figure of preventive control over acts and actions in terms of legitimacy. To get the proper perspective, we must recall that it was eliminated in the United States right after the end of the war, following a memorable investigation which showed that its costs are insupportable as compared to the benefits.

Except for a constitutional revision, which is now necessary, particularly regarding Articles 125 and 130, it is noted however right away that, as far as the federal government is concerned, and that is our only interest here, Article 100 is less harmful because it limits preventive legitimacy control by the General Accounting Office to acts of government, in other words, acts whose type are already declining and which can be reduced further if we decentralize the agencies and offices as indicated.

It is therefore possible to think that, apart from the typical acts of government, preventive control can be provided only for those acts which involve general propositions and for those steps, taken by ministers or committees, which adopt programs inherent in budget management.

The General Accounting Office itself several times proposed the modification of controls. We might recall the meeting of sections on 15 November 1979 on the occasion of the modifications in the bill on the simplification of controls (Chamber Document No 1021, of the past legislature), where the General Accounting Office notes that control in many countries is not limited to regularity in management but is extended to an examination of public administration activities and intended to ascertain proper progress, compliance with the goals spelled out in the law, and efficiency --through regularity.

In the report to parliament for FY 1977, the General Accounting Office already came out in favor of limiting preventive controls--to be exercised within predetermined time limits--and for the introduction of successive controls designed to evaluate the results of administrative activities,

rather than individual acts. There is thus a conviction also in the higher control body that administrative action and spending today require verification of concrete results.

It seems that we therefore can say that there is now a strong conviction that it is necessary radically to change the type of control and that we can assign efficiency control to the General Accounting Office; that efficiency control would be separated from control over acts, although the subsequent legitimacy examination of these acts would only constitute a part of this and the ultimate purpose would be to determine efficiency in its various forms, such as proper office procedure, productivity, or failure to perform (suitability of organization and administrative activities).

Since it would be assigned to an agency outside the administrative apparatuses, it would do away with the form of in-house collusion which in practice is always possible among those apparatuses; since it is concerned with efficiency, it would be extended to many sectors where the formal legitimacy of acts means very little; on the other hand, management performance can be unlawful due to omission; since it would not be tied to acts, it could be requested at any time, even from the outside; and since it involves only the responsibility of office personnel and office chiefs, regarding control measures as such, this kind of control could often boil down to a guide of an administrative nature.

It is superfluous to note here that, if the General Accounting Office is given this diverse function, it would have to be provided with suitable personnel, the kind of people whom it has today only in part. It is also superfluous to warn that, along with the institution of this new function, one would have to review the controls exercised by the accounting offices which specifically are no longer those provided for by Decree-Law No 1036, of 1924, in other words, regularity regarding revenues and expenditures, apart from many other successive controls over accounts entrusted to them under other standards. Nevertheless, it is not difficult to get into this, after we have outlined the scope of preventive controls by the General Accounting Office over government acts.

The demand for standard adjustments emerges also in the area of accounting jurisdiction (and its process) which in many ways is tied in with control. Among other things, and in particular, one should reconsider the current validity of the institution of judgment necessary in connection with accounting, an institution which is historically outdated and which is of little use for certain complex subjects (at least regarding the accounts of the accounting agents of the federal government and the regions). Approval of accounts could be reserved for the sphere of administration, except for the intervention of the judge on the assumption of irregularity in accounting or upon the initiative of the accounting officer himself, assuming there is a major discrepancy in the accounts or because of other questions regarding assets. Modifications in the current trial procedures

could also be provided for in connection with the accounts of the local entities, emphasizing the phases of in-house verification.

We must also look into a suggestion which has been made by several sources and which is always valid, to the effect that, in connection with a constitutional revision, one should not adopt the most modern system for the units of jurisdiction which may be made up of the peripheral accounting judges through the institution of the sections of the general accounting office, which could, for merely organizational purposes, also be tied in with the regional administrative courts so as to prevent any difficulties in the establishment of new secretarial and local data collection offices (using the support offices, on this same level, one could also alternate the hearings of the TAR and those of the accounting courts so as not to make the financial burden to the federal government any heavier). On the other hand, after the elimination of the prefecture councils, the current situation boils down to a substantial removal of local entities from the control of the accounting judge and that constitutes a shortcoming.

If the concepts stated here were to be approved by parliament, to the extent that they would be intended to give the federal government, and in particular, parliament itself, instruments for verifying and stimulating the efficiency of the various government agencies, then it would not be difficult to come up with a legislative procedure scheme also in a short time.

5.9. Semigovernment Entities

It is impossible today to say anything about government administration without taking up the semigovernment agencies.

We must briefly review this complicated situation.

Starting with the seventies, the public entities were placed, often in a disorderly fashion, under successive standards which regulated various aspects. As we know, this involves Law No 70, of 1975, Law 386, of 1974, Law No 349, of 1976, and Law No 833, of 1978; it also involves DPR No 616, of 1977, and Law No 14, of 1978.

The first law, the one on the so-called semigovernment outfits, on the one hand called for uniform procedures for a certain number of entities (with additions and subtractions, there are now 139); on the other hand, it provided for the elimination of public entities considered useless.

The second group of laws, pertaining to health reform, eliminated the insurance entities and spelled out a complex mechanism for transfer to national health service (and, in some cases, to the regions).

The third law--the law on the regionalization of functions--called for a transfer of functions, personnel, and assets from some national entities to the regions. So far, this transfer involved about a hundred entities.

The fourth law is confined to ordering parliamentary control over the appointment of the administrators of some of the public entities.

The evaluation of these laws is negative, in overall terms. Here is why:

(a) The procedure was handled in a rather disorderly fashion, with norms on top of norms; often, the same entity was subjected to several norms. For example, entities considered to be semigovernment entities were later on placed on the procedure governing transfer to the regions. Here is another example: the rules for the appointment of administrators are contained, regarding semigovernment agencies, both in the law of 1970 and in the law 1978.

(b) Overall, the number of entities which were later on subjected to these reogranization procedures did not exceed about a hundred;

(c) Looking at the small entities, the norms provided for excessively rigid rules which often could not be implemented. Parliament itself realized that and had to intervene through an amendment law (for example, regarding control procedures over appointments made on the basis of elective designations in entities with a corporative structure). This rigidity furthermore caused damage regarding productivity; the presidents of some entities complained about that after the conclusion of the second agreement on semigovernment entities;

(d) We can say in general that better effects derived from legislative action which did not operate in a vacuum (such as the procedure for the planned elimination of the law on semigovernment entities) but which instead rearranged the entities for a specific purpose (regionalization, health reform), with a new organizational chart for each of them, that is to say, the regions, national health service.

Experience so far suggests the adoption of more complex lines of action. Above all we must not forget that the requirement for setting up public entities springs from the difficulty of performing such functions within the context of federal government administration. We must therefore first of all render partly useless the practice of resorting to the public entity by permiting the federal government administration itself to act more efficiently, streamlining those administrative and financial rules which are too rigid, and establishing decision-making centers and responsibility centers equipped with financial and management autonomy. It seems a good idea to adopt more accurate verification procedures whenever we intend to proceed to the establishment of new public entities.

Regarding the existing public entities, we must take note of the significant diversity existing among the individual entities and we must revise

Law No 70, of 1975, which today displays all of its original faults by introducing differentiated systems.

There are as a matter of fact entities which are government organs with juridical status; these are government offices which perform government functions or functions complementary to government functions, employing government personnel and resources, but which, for practical reasons, have been given juridical status. In these cases it suffices to draw up a list of reasons that led to their establishment and to adopt simpler formulas.

Study and research entities constitute another group which was shaken up in an inefficient manner by the implementation of Law No 70, of 1975, and the agreement on semigovernment personnel, with results that would be difficult to ignore.

Finally, under Law 70, we have entities which simply are associations of private [individual, outfits] to whom federal law, in some limited cases, also assign some public task. How a Republic, whose parties at every turn assert its pluralist character, could refer to entities that represent interest groups as public entities is a mystery which nobody has so far managed to explain, except in terms of old ideas that die hard.

5.10. Entities of National Interest

In the Anglo-American setup, as we know, it is permitted for recognized associations, established for the purpose of taking care of those interests which in Italy are rather widely scatttered (it is not worth the trouble here to debate the strict meaning of the term) to take care of those interests themselves in every respect, in other words, also in judicial matters. In Italy, after some only too-well-known developments, jurisprudence denies the latter possibility. In France, the same thing happened and the law stepped in, establishing that private recognized associations, which have been certified to be of national interest by act of government, because they deal with collective and widespread interests, can act in a legal capacity in defense of those interests.

The action of these associations is rather usefully supported by the action of public agencies, the federal government in particular, concerning the protection of collective and widespread interests, such as those dealing with the landscape, the environment, public land, but also with respect to price controls, the fight against improper food processing, against the violation of norms pertaining to the hygienic requirements for products to be sold for consumption, and so on.

It might be a good idea to have a law on national-interest associations as instruments of democratic action to assure respect for the law. Once this new institution has been recognized, many of the associations currently classified as public entities could be transferred to it.

This is so because, regarding entities of national interest, the state should take upon itself or maintain some control powers, first of all among all of those concerned with the budget (to prevent those powers from being taken over by economic centers with special interests), in other words, also the authority over the activity which the budget, by agreement, according to the English model assigns to the associaionts themselves, such as the maintenance of registers, the conduct of cultural events, and so forth.

The revision of law No 70 and the introduction of the new institution would permit a "house-cleaning" in the sector of entities and would eliminate some of the current strident incongruencies, the most important one among which is to consider public that which is only collective, and viceversa.

5.11. Organizational Aspects of Administrative Justice Organs

We cannot conclude this article without saying something about administrative justice, not of course in terms of its jurisdictional content--which however would require some new radical rethinking--but on account of its administrative content. The introduction of the TAR [Regional Administrative Tribunals] as a matter of fact produced a result which in a certain way is spontaneous: they assumed a role of decision-makers on difficul. issues in the place of the administrations, in the sense that the administrative office, openly or secretly, seeks rulings from tribunals on problems which cause it perplexity, accepting the result thereafter.

Now, from statistics pertaining to the year 1979 regarding the activities of the TAR, we can derive the following figures: as of 31 December 1978--in just 5 years--a backlog of 105,121 cases has piled up (according to recent data, the figure has gone up to 120,000); besides, 35,956 new cases were filed during the year; in 1978, the TAR handed down 13,665 rules, officially and in declarative manner, plus 1,607 interlocutory rulings; of the 13,665 official and declarative rulings, 4,445 concern cases involving renunciation and barring. Of the remaining 9,200 rulings, 2,110 were appealed to the council of State, in other words less than one-quarter.

The case load among the TAR varies enormously, on a ratio of 1:97.

It follows from these statistics that, things being what they are, administrative justice of the first instance will be paralyzed within a few years. And while it is necessary quickly to make provision for judges required here, it is also urgent to satisfy the functional aspect of the tribunals as well as the Council of State.

For this purpose it would be necessary to triple the overall output of the TAR, in other words, to increase the output from about 13,000 final rulings per year to 39,000 (considering the need for partly catching up).

To attain this objective, one might think, among other things, of a norm which would give the Council of the Office of the Prime Minister the power: (a) to establish a minimum productivity load for each judge also in correlation to the annual number of new cases; (b) to order that judges assigned to the administrative tribunals, with an annual case load less than the total of the minimum case loads of judges assigned there, be also assigned to other TAR or to other sections of TAR so that they may attain the predetermined minimum case load during the course of the year.

This system would furthermore be in line with Articles 3 and 36 of the Constitution, on the basis of which there must be equal pay for equal work. Besides, since there are 50 vacancies in the organizational chart for regional administrative judges, it is necessary to introduce special norms in order to make this career more attractive and to fill all of those slots in one year.

Similar problems--but in a more attenuated fashion--exist for the Council of State. While the percentage of appeals to final rulings from the TAR is about 23 percent, tripling the output of the TAR could bring about an increase in the number of appeals and the figure would probably go up to about 6,000-7,000 per year. In other words, we would once again have that overload situation which was one of the reasons leading to the establishment of the TAR in 1970.

The Council of State, in the three jurisdictional sections, hands down about 3,000 final rulings each year and has a pending appeal case load of 3,710 cases as of 31 December 1978, in addition to a considerable backload on earlier cases. It would therefore be necessary here likewise to take measures such as those involving the TAR, instead of increasing the number of section chairmen.

5.12. Proposals and Programs

In conclusion, there are some points regarding which the determination of the directions in which we are to move has been met with approval regarding the reconstructive ideas presented whereas on others a choice as yet must be made and that is up to parliament.

The first group consists of the following topics: (1) federal government enterprise management; in case of approval, one can proceed to studies for the preparation of decree-laws on spending analysts, reform of accountant offices, and contract procedures, plus public accounting and mission administrations; (2) assigning to the General Accounting Office control over efficiency with reduction of preventive control over legitimacy; this would only involve revising a scheme which is already in good shape; (3) economic-enterprise investigations concerning autonomous enterprises; (4) public and public-interest entities; here however it would take several months to screen the material; (5) urgent steps regarding administrative justice, although it is necessary here to note that

the government must submit a decree-law to adapt the trial standards used in the TAR to the norms on the worker statute, plus a decree-law for delegation regarding the procedure to be used in administrative jurisdiction.

The second group involves key topics in the organizational formula for the central apparatuses of the federal government, the office of the prime minister, the links between the federal government and the regions, as well as decentralization of federal government organization. Pending final determinations, the government would refrain from proposing any changes or combinations in the structures of the ministries, except in case of particular urgency, such as, for example, the cases involving the administrations of finance, of justice, and other smaller ones.

Conclusions

In conclusion, the rules concerning the proposals for directives and programs would require the indication of priority objectives. The nature of this report does not permit this because it is designed only to present materials to parliament for a discussion and for the indication of directions in which to move.

What we can do is to point up some order of priority. As we said before, the administrative instruments for an information survey regarding government administration apparatuses have already been activated, using the methodologies of data collection and efficiency indicators, through the study of the institutional reorganization of federal government administrations. Regarding the part requiring legislative instruments, we stress the adoption of the public employment model law, so as to give the federal government adequate instruments for the negotiations of new agreements concerning federal government, regional, and local employees.

The serious economic situation which emerges for 1980 would seem to indicate that we should give precedence to the following standards: the law on national-interest entities--providing of course that parliament considers their establishment to be useful--since this would provide instruments of popular participation in controlling inflation; one or more laws on the reorganization of the ministries concerned with money management, in particular finance and treasury; this in fact involves ministries which constitute a group in themselves and which must be reorganized as quickly as possible if we want to attain the objectives already outlined by parliament, that is to say, the objectives of efficiency in tax assessment and efficiency in public spending. It might also happen, only by way of assumption, that, if the determination of directions expected from parliament here should come up with a different makeup for the ministries handling money, we would proceed to the adjustments requested; but the thing that counts is as quickly as possible to reorganize the organs and offices that manage these functions.

Tied in with this reorganization is the reorganization of the General Accounting Office where parliament should discuss the modification of the authority given that General Accounting Office as an agency controlling the efficiency of federal government administration. This reorganization could therefore be given third priority.

We will note that this report is confined only to some of the problems of federal government administration, the biggest ones, in other words, and it contemplates those problems in a completely organized, final form, considering them as personal and technical structures of administration.

We did not take up those problems which are likewise organizational and which in a logical and chronological order would have to follow the biggest problems, even though there are some among them which are of general significance, such as, for example, the elimination of the dispersion of central and peripheral administrations, as well as the simplification of the number of command channels (today, in some administrations, almost to the limit of what would be feasible and practical).

We also left out all of the problems pertaining to the external activities of the administrations, which can be resolved only through norms governing each activity; today, certainly, negotiated steps tend to take the place of authoritative steps, while procedures based on convenience replace administrative procedures; the different type of relationship between the administration and the citizens is not at all forcefully expressed in the laws and some of those laws are too outdated and do not comply with the need for guaranteeing the liberty of citizens, first among which is the liberty to be informed about the facts and figures of government.

But we also want to make the point that technical revisions, reorganizations, and reforms of public administrations by themselves will not be enough; they must be accompanied by a modernization of laws governing administrative action; there are two conditions for restoring peace between public administrations and the citizens. Peace, not trust, because that does not depend on laws and we are not going to have trust until the figure of the state has been illuminated by the enlightening work of men; for the citizen, the state is not a reliable and authoritative friend but rather an ambiguous, irrational, remote creatures any contact with which only brings us back to the same old saying: "I never know what unjust power allows crime to continue in peace and prosecutes innocence." The situation is indeed very serious but it is not irreversible. We are confident that the wisdom of parliament will provide the impetus needed to initiate a recovery and restoration.

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END